

## NMDA Newsletter June 2021



*Yamaha NMAX 125, the highest registering new motorcycle in April (537 units)*

Dear NMDA member,

With dealerships back open and trade returning to a degree of normality, PTW sales have seen a sharp increase year-on-year. Early figures are indicating that 2021 will be a buoyant year for dealers and the industry. Issues concerning manufacturing supply are still at hand, however, and dealerships may struggle to meet customer expectations for the short foreseeable future.

### Guidance & Contact

As your trade body, the NMDA continues to work hard to support you and your businesses. Please do get in touch with us - If you have any legal, employment or questions concerning business advice please contact our helpline on 01788 538303 or email me directly. Our new "Engage" initiative will help you grow your online presence and directly affect your business performance. More information below.

*We are your trade body, here to help and advise you on regulatory and operational issues facing your business. If there are issues that we have not covered, or you have concerns about, please do contact us.*

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### Your Monthly Note from PHILIP YOULES, NMDA Chairman

Since the last time I wrote, we have certainly enjoyed the explosion of trade that the industry was expecting and hoping for. I have a frequently used phrase for when we are considering a customer's deal on a particular bike: "Can we replace the bike or the customer?". Then we ask: Is the bike overage? Have we just advertised it and immediately received three leads? There other questions too but these get you thinking. It does currently feel like there are plenty of customers out there, with not enough bikes to go around... as the old saying goes, you can't sell empty spaces.



The question now becomes whether manufacturers are doing enough to ensure that their bikes come to market. For many, minimum stocking policies seem to have gone out of the window. At this point though, any stock would be good. Blackburn seems to again be the Covid centre of the UK, possibly only second to Bolton although even that hasn't deemed to stop demand. Our customers on the whole, seem keen to get back to normal and most are behaving well. In fact, it's generally myself that keeps being reminded to put the mask back on! Having said, that our stores are spacious and with the low stock levels, it is working well. Roll on the 21 June when (if the country goes to plan) we can bin the masks and do a whole bunch of other things that once were classed as *normal*.

Thankfully, our staff are coping well. This time of year is always difficult with the busier summer season. We keep the same headcount throughout the year which sometimes makes the off-season seem overstaffed. I've learned over the years to recognise this and try to help those that are struggling. This is not always as easy as it sounds, particularly when it seems like it is coming at you from every direction. Good staff are the key to all businesses and supporting and coaching them is so important.

This leads me nicely onto Apprenticeships or "Trail Blazers". Many of you will remember that a group of us put much time and effort into creating the framework for a motorcycle apprenticeship / Trailblazer, recognised by the government. The biggest problem at the time was the level of funding. We now have an opportunity to address this and will be doing so on **10 August at 10:00 am via MS**

**Teams**, with a review required by government every 6 months. This gives us an opportunity to push for more funding, after all the government is keen to invest in technical training so this presents the perfect opportunity for our industry to state its case. I'm a huge believer in apprenticeships and many of our apprentices have gone on to other roles within the business and have certainly benefited from the training that our industry has provided. If you are interested in becoming a part of the Trailblazer group please contact Rohima at the NMDA: [rohima.alam@rmif.co.uk](mailto:rohima.alam@rmif.co.uk)

The Personal Light Electric Vehicle (PLEV or stand on electric scooter) does not currently seem like it's going away. These currently unregulated toys are definitely dangerous without proper training. Recently, travelling at 38 mph (in a 40-mph zone) on my Tiger 900 I was overtaken by a de-restricted electric push bike. The rider was neither wearing a helmet, nor gloves and didn't appear to have any much road sense either. I was completely taken aback and the police car going the other way, didn't appear to pay it any attention. These products are not currently legal so why do the authorities seem so disinterested? Is it because there are trials taking place that we are supposed to turn a blind eye? The laws of the road need to be upheld; this is the basis of civilisation!

As you know, the NMDA represents PTW dealers however, the vast majority of PLEVs are sold through the cycle trade. A regulated homologated product is the solution that the MCIA are pushing for. Once this is established then we as motorcycle dealers are well equipped to retail them. The current situation is not satisfactory and there are already far too many reports of accidents with people being seriously hurt and worse. As the NMDA we support the MCIA on this matter. Tony Campbell, MCIA, presented at our last committee meeting and the creation of sub L category vehicles is in essence what the Route to Tomorrow's Journey is all about. I fear that if this isn't brought to conclusion quickly the PLEV will become just like the good old cigarette. Something that we all know is dangerous but has become legal by default and will take legislation to extinguish.

On a more positive note, in the here and now Motor Cycle News (MCN) is keen to support NMDA members by promoting your dealership. All you have to do is tell us of something that is happening at your dealership (discount on accessories/best coffee/local events), along with the details of an exciting or interesting local route and they will promote you as part of the NMDA's #DestinationDealer campaign, in conjunction with their own #ride5000miles. MCN are wanting to encourage their customers to get out and go to the dealership now the lockdowns are easing. To take part, please send in your details to Paddy, your Head of Association at the NMDA: [Patrick.oconnell@rmif.co.uk](mailto:Patrick.oconnell@rmif.co.uk)

Above all, I ask that you join in with the NMDA initiatives and meeting. Please remember that it is *your* association and the voice of *your* industry. Please do contact us to join our next **NMDA committee meeting on 23 June at 10:30 am**. Whilst we would dearly love to meet you all in person again, we will closely monitor restriction changes and inform you as to the nature of the meeting, closer to the time.

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## **MOTORCYCLE REGISTRATIONS DRIVEN BY CONSUMER DEMAND IN APRIL**

"Power Two Wheelers (PTWs) have shown a significant year-on-year increase of 570% (10,874 units). With the lockdown in April 2020 preventing dealers from making sales, this month's figures should come as no surprise that consumer demand is back on the rise", said Paddy

O’Connell, Head of the National Motorcycle Dealers Association (NMDA) which represents PTW dealers in the UK commenting on the latest MCIA’s figures.

MCIA’s latest registration figures showed year to date, PTWs are up 16.2% (3,878 units) compared to the same period last year, which is a positive indication that 2021 should be a buoyant year for dealers and the industry. Alongside campaigns such as NFDA’s #DestinationDealer and MCIA’s [www.unlockyourfreedom.co.uk](http://www.unlockyourfreedom.co.uk), the push to get the public onto PTWs as an alternative form of transport is showing no signs of letting up.

April saw sales of ePTWs carrying on their upward trend with a 515.7% rise (431 units sold), 346 of these registered in the 1- 4KW category. This power output is most comparable with 0-50cc internal combustion engines (ICE) that achieved 838 sales in total, it is interesting to see that ePTWs contributed to 29.2% of that market.

In the notable categories: Adventure Sport was up 23.4%, Naked 11%, Enduro -11.1% and motorcycles in general up 16.2%. With progress made year-to-date on almost all styles of PTWs, it was only Sports Tourers (-42.4%) and Supersports (-9.2%) that have failed to catch-up so far this year.

The Yamaha NMAX 125cc overtook the BMW R 1250 GS Adventure from the top spot registering 537 units. Honda maintained the accolade for highest registering major brand (1,666 units), with Yamaha (1,355 units) and Triumph (823 units) both overtaking BMW (694 units) in April.

Paddy O’Connell added, “With dealerships now fully open for the month and member’s order banks growing, the main issue to consider will be manufacturer supply. Managing customer expectations for lead times may prove to be challenging over the coming months.

“The NMDA continues to encourage members to get behind the #DestinationDealer campaign. This initiative is to help dealers reconnect with their customers and remind them that Motorcycle and Scooter showrooms are not just a place to transact, they are also a place to chat, have a coffee, look at the new products and meet up with like-minded people”.



### Press Statistics April 2021



#### April 2021 Top Registering Vehicles

MOPED	HIGHEST REGISTERING MODEL THIS MONTH WITHIN EACH STYLE	Apr 2021
SCOOTER	SYM MASK 50	33
OTHER	Derbi SENDA XTREME DRD SM 50	19

MOTORCYCLE	HIGHEST REGISTERING MODEL THIS MONTH WITHIN EACH STYLE	Apr 2021
ADVENTURE SPORT	BMW R 1250 GS ADVENTURE	125
CUSTOM	Keeway SUPERLIGHT	126
NAKED	Honda CBF 125 M	228
SCOOTER	Yamaha NMAX 125	537
SPORT/TOUR	Multiple Items	35
SUPERSPORT	Kawasaki NINJA 1000 SX	70
TOURING	BMW R 1250 RT	84
TRAIL/ENDURO	Gas Gas EC 300	42

TRICYCLE	HIGHEST REGISTERING MODEL THIS MONTH WITHIN EACH STYLE	Apr 2021
SCOOTER	Yamaha TRICITY 300	19
OTHER	BRP CAN-AM RYKER RALLY ED 900 ACE	11

ENGINE BAND	HIGHEST REGISTERING MODEL THIS MONTH WITHIN EACH ENGINE BAND	Apr 2021
0-50cc	Vmoto SUPER SOCO CPX	159
51-125cc	Yamaha NMAX 125	537
126-650cc	Royal Enfield INTERCEPTOR INT 650	152
651-1000cc	Triumph TRIDENT	151
Over 1000cc	BMW R 1250 GS ADVENTURE	125

MAJOR BRANDS	Apr 2021
Honda	1,666
Yamaha	1,355
Triumph	823
BMW	694
KTM	580
Kawasaki	558
Lexmoto	510
Royal Enfield	345
Ducati	298
Harley-Davidson	295

## **NMDA DEALER ATTITUDE SURVEY SHOWS MOTORCYCLE DEALERS' SATISFACTION LEVELS REMAIN STABLE**

“After a challenging year, the high response rate for the NMDA Spring 2021 Dealer Attitude Survey demonstrates dealers see it as an important and useful channel to provide feedback on the business relationship with their manufacturers”, said Paddy O’Connell, Head of the National Motorcycle Dealers Association (NMDA).

The NMDA Spring 2021 Dealer Attitude Survey (DAS), published today (Tuesday 4 May), received a response rate of 29%, compared to the highest ever response rate of 31% in autumn 2020.

The results of the DAS indicate how dealers view the issues that are currently affecting their relationship with respective manufacturers, and how these change over time.

Findings showed that the all-dealer average when asked about the ‘overall value of the franchise’, remained consistent at 6.3 points out of 10, compared to 6.4 from autumn 2020.

- Ducati (9.2), Royal Enfield (9.0), and Triumph (8.3) remained the top three franchises
- The franchises with the lowest ratings were Suzuki (5.2), Honda (4.8) and Piaggio Group (3.4)

When dealers were asked about their ‘ability to do business with manufacturers on a day-to-day basis’, the average score lifted slightly from 3.4 to 3.5 out of 5 points.

- Piaggio Group dealers were the most dissatisfied for the sixth time in a row, with an average score of 2.4
- Lexmoto was the top scoring brand at 4.8

The Spring 2021 edition of the DAS asked dealers also a number of questions concerning manufacturer support during the Covid epidemic. When asked about the level of manufacturer support throughout the crisis, the average score was 3.3 out of 5, with Piaggio the lowest (2.0) and Ducati the highest (4.5).

Paddy O’Connell continued: “The findings of the survey remained largely similar to the previous edition of the survey which, it is worth noting, had experienced a significant increase in dealers’ satisfaction levels from spring 2020.

“With dealerships reopening and despite potential issues with supply, dealers remain optimistic about future profitability, in line with six months ago.

“NMDA thanks our members for their continued support and we encourage manufacturers to look at the results to identify and address any issues affecting the relationship with their dealer network”

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## **Honda and Kawasaki join list of manufacturers struggling to deliver new bikes**

A global shortage of semiconductors stems from a variety of factors including trade tensions between China and the USA, leading to some electronics firms stockpiling Chinese-made chips, and fluctuating demand from tech manufacturers as lockdowns lead to unpredictable sales.

Covid's impact on trade has also left empty shipping containers stranded in some parts of the world and a shortage of them where they're needed, pushing up shipping costs and causing delays.

These delays had knock-on consequences, with Yamaha's factory in France left waiting for components to arrive from Japan.

Honda UK's Department Manager of Business Planning & Sales Operations, Andy Mineyko, told MCN: "We have had delays, an example being the [PCX125](#) which experienced a one-two month delay as a result of the challenge around shipping. Our remaining 2021 models are arriving now and will be in dealers shortly with stock of all units continuing to arrive throughout the year."

Kawasaki have also been hit by delays. MD of Kawasaki Europe, Kenji Nagahara, said: "Like many others we have been affected by the shortage of semi-conductors and the blockage of the Suez Canal."

He added that a shortage of a resin used in motorcycle manufacturing has hit production schedules, but told MCN: "We promise to do everything in our power to face up to this challenge."

Full article found [here](#)

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## Transition Update – SME Brexit support fund



If you move goods between the UK and countries in the EU, you need to follow new customs and tax rules.

Your business will be affected by the new rules if you:

- buy goods from an EU seller and bring them into the UK
- send goods you've sold to a buyer in an EU country
- haven't exchanged money but need to move equipment that you use for your business, between the UK and the EU.

NMDA understand this means a lot of changes are needed, and HMRC is here to help you in several ways.

You can now apply for the [SME Brexit Support Fund](#). Smaller businesses can get up to £2,000 to pay for practical support, including training or professional advice to adjust to new customs, rules of origin and VAT rules when trading with the EU.

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## MCN support #DestinationDealer - "PROMOTE YOUR BUSINESS"



#DestinationDealer

The National Motorcycle Dealers Association (NMDA), alongside its sister organisation's NFDA Engage initiative, is encouraging dealers to use their social media platforms to reconnect with past customers and encourage new ones to ride out for #DestinationDealer. As we approach the long-awaited reopening of motorcycle dealerships on 12 April in England, dealers will once again be able to welcome customers back into their showrooms.



While restrictions are being eased, the Government are still urging people to stay local. Naturally, motorcycle Covid-safe premises are the ideal place for riders to go. Please note that customers should consume food and beverages outdoors, with social distancing measures being respected.

The NMDA's #DestinationDealer campaign will be supported by MCN and their "Ride5000 Miles" busy Facebook/print group. If you have something going on in your dealership, be that the best coffee, the best bacon butty or a specific sales campaign, let us know. MCN have asked NMDA members to share this information along with a local route for riders to reach their "Ride5000 miles" goal. **Send your information in to Patrick.OConnell@RMIF.co.uk** and we will ensure other readers consider you as their next #DestinationDealer.

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## **POLICY UPDATE: E-scooter trials extended to 2022**

The official trial of electric scooters on the UK's roads has been extended by the Government until the end of March next year so the most comprehensive evidence possible can be gathered.

The decision to extend trials of e-scooter hire schemes in 50 towns and cities across the UK, which began in July last year and were due to end date in August this year, means legislation is now unlikely to come into effect until mid-2023.

The Department for Transport (DfT) said: "To ensure we get the most comprehensive evidence from trials, including those that have started more recently, the end date for trials has been extended to 31 March 2022."

One scooter manufacturer, however, believes the move will lead to "more unregulated and out-of-control" privately-owned devices continuing to pose a safety hazard for road users.

Richard Adely, CEO of e-scooter manufacturer Taur, told The Times: "[the Government's] dithering and delay has allowed more and more unregulated and out-of-control scooters to proliferate on streets, risking the life and limb of pedestrians and other road users."

But the extension comes following the publication of some worrying figures. In a reply seen by PA Media Group, Norfolk Constabulary listed 120 e-scooter related reports including assaults, burglaries, anti-social behaviour and traffic offences.

A further Freedom of Information Request (FOI) by the Daily Mail revealed that Scotland Yard recorded more than 200 incidents last year, while Merseyside Police recorded more than 100.

It's thought private e-scooters – only legal on private land with a landowner's consent – are responsible for the bulk of the offences, and are still commonly being used on UK roads.

A DfT spokeswoman said: "We know there have been a minority of instances where e-scooters have been misused," but she assured the public that "feedback from these trials will help us determine the pros and cons of e-scooter use on public roads".

**For many, the recent move of certain local governments allowing electric step on scooter rental trials, represents the national government's lack of understanding in the PTW world. These currently unregulated forms of transport have been hitting the news headlines recently for all of the wrong reasons. Your NMDA has called for action and your opinions. At your next NMDA meeting, we will finalise these findings and begin the campaign.**

**NMDA Meeting: Wednesday 23 June.**

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## RMI Academy of Automotive Skills opening new site in Lincoln



“We are delighted to announce the opening of the RMI Academy of Automotive Skills new training facility in Lincoln, broadening the reach of its high quality automotive training, including MOT class 1 and 2 motorcycle training”, said Paddy O’Connell, Head of the National Motorcycle Dealers Association (NMDA), which represents motorcycle dealers in the UK. The NMDA is a federated association of The Retail Motor Industry (RMI).

The new site joins three existing locations in Southam, Runcorn and Winchester, and is the first of a number of additional academies planned as part of the trade body’s wider strategy to provide training for garages on a more local basis. A wide array of MOT and technical courses will be available when the site opens in July.

The opening of the fourth training academy is part of the RMI mission to provide affordable, high-quality training for the automotive sector, including the motorcycle industry.

Currently the Academy will be running the following courses for Class 1 & 2 motorcycle MOT tester training:

- Southam: 2 June & 12 July 2021

O’Connell added “The expansion of the RMI training facilities in the UK is positive news and will be of benefit to NMDA members and all of those in the region that require Class 1 & 2 motorcycle MOT training.”

Call 01788 538 399 to enquire or book a course, or visit [RMItrainingAcademy.co.uk](https://www.rmi.academy.co.uk) for course details.

538 399 to enquire or book a course, or visit [RMItrainingAcademy.co.uk](https://www.rmi.academy.co.uk) for course details.

Download the full flyer [here](#)

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### **EAT: minimum amount of work not a prerequisite for worker status**



In *Nursing and Midwifery Council v Somerville*, the Claimant was a panel member chair of the NMC’s fitness to practice committee. He brought a claim to the Employment Tribunal arguing that he was a ‘worker’ or an ‘employee,’ and therefore entitled to statutory holiday pay –even though both parties had agreed that the Claimant would be carrying out his work as an independent contractor.



The Employment Tribunal found that there was a series of individual contracts between the Claimant and the NMC each time he opted to sit on a hearing; that there was an overarching contract between the parties as his term of appointment was for a period of four years; that there was no right of substitution in that he had to provide his services personally; and that the NMC was not a client or customer of the Claimant.

In these circumstances, the Tribunal concluded that although there was no obligation on the Claimant to accept a minimum amount of sitting dates and that he was free to withdraw from dates on which he had agreed to sit – while this meant that there was insufficient ‘mutuality of obligation’ for the Claimant to have the status of an employee – it was not incompatible with worker status and that the Claimant was a worker within the meaning of section 230(3)(b) of the Employment Rights Act 1996.

The NMC appealed arguing that the absence of any obligation on an individual to accept and perform some minimum amount of work is fatal to the proposition that the individual could be a worker, since an ‘irreducible minimum’ of obligation is a prerequisite for worker status. In dismissing the appeal, the EAT concluded that the case law had not in fact recognised that an irreducible minimum of obligation was essential for worker status, and, that the NMC’s reliance on the Supreme Court’s decision in the recent Uber case to show otherwise was not a proper interpretation of that judgment.

The EAT further stated that the word ‘undertakes’ in the statutory definition of a worker, where it says that the individual ‘undertakes to do or perform personally any work,’ did not in itself impose an obligation of some minimum amount of work, contrary to what the NMC had argued; and further, that the Employment Tribunal was entitled to treat the fact that the Claimant paid his own income tax and national insurance as not preventing him from having worker status.

### Comment

This case comes on the back of a number of recent decisions of the courts which have found that many individuals working in the ‘gig economy’ are not self-employed but are in fact ‘workers’ – and it shows that the current enthusiasm to extend employment rights to individuals is not limited to low-skilled sectors, given that the Claimant was a panel chair of a major regulatory body and a barrister by profession.

*Motor Industry Legal Services Limited*

*Motor Industry Legal Services Limited provides fully comprehensive legal advice and representation to UK motor retailers for one annual fee. It is the only law firm in the UK which specialises in motor law and motor trade law. MILS currently advises over 1,000 individual businesses within the sector as well as the Retail Motor Industry Federation (RMI) and its members.*

## IT'S COVID SAFE TO RIDE



We continue to support dealers with the 'Safe to Ride' campaign promoting the use of motorcycles as an ideal alternative to public transport. Powered Two Wheelers (PTWs) are not only a great way to keep 'COVID safe', they offer the public much more:

- **Safe to ride:** social distancing and 'face coverings' are always required
- **Affordable ownership with very low running costs**
- **Quicker journey times:** avoid traffic jams (in some cities and towns PTWs are permitted to use bus lanes. Riders should check with their local authority).
- **Parking made easy and often free**
- **Low emissions combined with incredible fuel economy**
- **Freedom and fun**

Motorcycles represent the best option for those who want to avoid public transport and with just a single day of Compulsory Basic Training needed, the transition to Power Two Wheelers is very easy. With just a single day of CBT Training, anyone from the age of 16 (with at least a provisional license) can be out and riding on at least a 50cc/4kw moped.

Unfortunately, due to the current restrictions, at the moment CBT is suspended. NMDA continues to liaise with the relevant Government departments to ensure training can resume as soon as possible.

Click [NMDA Safe to Ride images.zip](#) for further graphics which you can use to support the campaign

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## WHAT YOU GET FOR YOUR MEMBERSHIP FEE

- **Legal services** – Free legal advice from in-house lawyers
- **HR & Employment advice** – Resources for providing HR documentation
- **Trading Standards** – Guidance advice handling legislation
- **MOT Training** – Training centres to update and instruct MOT testers
- **Conciliation & Arbitration** – Resolving trade and consumer disputes
- **Government Lobbying** – Ensuring we are in consultation over law changes
- **FCA Advice** – Keeping up to date with F&I knowledge
- **DVLA Partner** – Working with DVLA to assist future projects
- **DVSA Advisor** – Advising on MOT test requirements
- **Utility packages** – Reviewing potential on saving energy costs
- **Banking & Credit Cards** – Possible savings on banking charges
- **Business advice** – On call to assist dealers with day-to-day issues
- **BDN EXPO Trade Show** – Attend the annual motorcycle trade show
- **Monthly Sales Report** – Review of monthly motorcycle registrations
- **Monthly Newsletter** – Updating on issues, trends & results affecting your business
- **Quarterly member meeting** – Reviewing issues affecting the industry
- **Biannual Attitude Survey** – Monitoring dealer/manufacture relationship
- **NMDA Website** – Easy way to check on updates



For more information, please contact Ed Buckley (Membership Manager) on 07919576306 mobile or email [ed.buckley@rmif.co.uk](mailto:ed.buckley@rmif.co.uk).

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## NMDA MEMBER MEETING

The next NMDA member meeting will take place on **23 June 2021**, further details will follow but pencil a trip to our London offices in your diary! All members are welcome to attend. Please call Lena on 07341 396125 or email [lena.patel@rmif.co.uk](mailto:lena.patel@rmif.co.uk) to confirm your attendance.

