

# Talking point

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**MCN**  
**LAW**

Your tricky legal questions answered

## 'Biking is the best thing I've done'

I opened your Jan 12 issue and was amazed to see my father, on his new BMW G310GS as the Star Letter! I'm 33, been driving since I was 17 and for the past five weeks I have been riding my Honda 125 to work, and down every country lane I can find. I can honestly say it is the best decision I have made and I have already booked A-Licence training. I am loving the world of bikes, the community, the freedom, the feeling and the looks on my primary school students' faces when they see my bike outside the classroom window. It's a joy to see how much my father is enjoying being back on two wheels, I know our first ride out together will be a special one. I can't wait  
**Tom Theedom, email**



**STAR LETTER**

**DXR**



This week's Star Letter writer wins these brilliant DXR Skoga Boots worth £69.99 available exclusively at [www.sportsbikeshop.co.uk](http://www.sportsbikeshop.co.uk)

## Being ripped-off again

After moving we contacted our insurance companies to amend the details, and found that this incurred admin charges from the companies that covered our bike and scooter to a total of over £50, but the car policy was amended with no charge. Is this a situation where bikers are being penalised? The only 'admin' is to press a few buttons on a computer.  
**Colin Holt, email**

## Why the need for cooling?

I loved the Claudio Domenicali article (MCN, January 19) but it prompted a question. He commented that cooling is more important with electric motors than combustion. My physics on the conservation of energy is rusty but doesn't this suggest that the electric engines are less efficient?  
**Matthew Scott, Abingdon**

## Albie's ready to race

Thought I'd send you a pic of young Albie (four) out for a winter ride on his Ducati which has been tuned up with a much larger battery. By the time he's on the road this is



Albie gets ready to ride in MotoE...

probably the way we will all be riding... no booming Termignonis!  
**Steve Stacy, email**  
**Ed: Is that their new MotoE bike?**

## Big shoes, well filled

Congratulations to Jon Urry on his column following the sad and tragic loss of Neil Murray. The article is slightly different to Neil's (for obvious reasons) but it has retained its place in my top five MCN features and stepping into such big boots at a moment's notice must have been a tad daunting. Well done Jon, you've

done Neil's memory justice and I for one applaud you.  
**Pete Eblett, email**

## The Multi's my choice

Just read your test on the Triumph Tiger 850 Sport and BMW F900XR (MCN, January 19). I was looking to replace my three-year-old R1200GS but decided to keep it for two-up work, and buy a middleweight for solo use. So last week I took the same bikes out, and my conclusions were that I liked the XR but it felt like a naked; I had arrived on my GS which felt like an RT in comparison. Then the Triumph, I thought it would feel unpowered but was pleasantly surprised and yes the dash was confusing. Upshot was that after trying a Multistrada V2 the following day I paid a deposit and got one of the last in the country. So roll on summer.  
**Pete Wilson, email**

## Manx GP under threat?

The Manx Motor Cycle Club have announced major changes to the Manx Grand Prix races. The racing will now be held over just four days

of the bank holiday weekend and the number of races is also reduced to five. We all know how changeable the Manx weather can be and, together with the trend to delay the start if there is a damp patch anywhere on the circuit or low cloud on the mountain, the whole weekend risks being a washout.  
**Ray Brassington, Marshal 593**

## NIMBYs strike again

I see that the Isle of Wight races have hit a snag. I am not surprised. The island is great but has some pretty wealthy residents who ironically live nowhere near the proposed site.  
**Ian Cole, email**

## Taylor is an inspiration

The Taylor Mackenzie interview (MCN, January 12) was inspiring. Like myself, I imagine that most fans think of bike racing as a dream job. However, stress, anxiety and other mental health issues can affect any one of us and can occur when least expected. I have suffered episodes of depression for all of my 58 years and self-medicated with alcohol, leading to a serious addiction. Without learning about the experiences of others, that normalised mental health failings, I am not sure I would have opened myself up and sought help.

I am now over six months sober, thinking straight and in position to return to motorcycling for the first time in 20 years (a KTM 390 Adventure is imminent). Thank you to Taylor for raising awareness of an issue to an audience who might not be expecting it from such a 'hardcore' publication as MCN.  
**Rob Scott, email**

## Q 'Do I have to wear boots?'

I was knocked off my Vespa back in September when a car driver pulled out in front of me at a junction. I tried to brake but it was too late to do anything about it. I suffered left leg injuries but fortunately nothing too bad. My solicitor is telling me that the driver's insurers want to deduct 25% from my compensation because I wasn't wearing CE-approved boots. They say my injuries would have been less serious if I had been.  
**Geoff, email**

**A** This is not correct. Bikers are legally required to wear helmets. There is no law requiring bikers to wear protective clothing such as gloves, boots, jackets or trousers. The Highway Code advises that 'strong boots, gloves and suitable clothing may help to protect you if you are involved in a collision'. The Highway Code does not say it will protect you which is partly the reason there is no legal

## 'You cannot breach a law that does not exist'

requirement for riders to wear protective jackets, trousers, gloves or boots. This advisory guidance is not compulsory.

As such you cannot be held to be in breach of a law that does not exist. Further, I know of no court decisions (judicial precedent) that state that a rider can have compensation reduced for the lack of protective boots. The other side is wrongly trying to apply the law relating to car drivers where there can be a 25% or 15% reduction in compensation if they aren't wearing a seatbelt.

**Andrew Campbell**  
Solicitor and author of the MCN Law column for the last ten years

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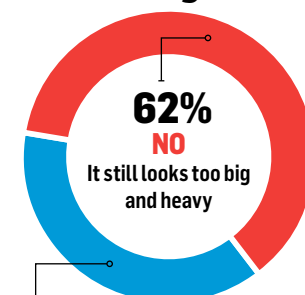


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## READER POLL

Is H-D's Low Rider ST (see p4) sporty enough?



**38% YES** It's the perfect mix of touring and sports ability

**62% NO** It still looks too big and heavy