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Vehicle Rules Sideline Eco-Stars

Electric Cars; Safety policy keeps green LSVs off the roads

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Every spring, Ian Clifford dusts off his pride and joy -- a cherry red 1959 Henney Kilowatt electric car -- to zip around Toronto's streets for the summer.

One of just 47 made by Henney/Renault-Dauphine, it's also the only electric car that Mr. Clifford, CEO of the Zero Emissions, No Noise, or ZENN, Motor Company, is allowed to drive on roads.

Now two years into protracted discussions with the federal government to have his electric low-speed vehicles, or LSVs, allowed on city streets, Mr. Clifford can nevertheless drive his Henney because it's an antique. Unlike the ZENN, it's exempt from Canadian safety standards.

"I drive it because I can't drive one of my own cars," he says, chuckling in disbelief. "It's beyond ironic."

It's also an unfortunate misstep for the environment, he says. Already sold in 20 U. S. states where it retails for US\$15,995, the ZENN is the prettiest girl at the eco-party: Each vehicle effectively eliminates the approximately six tonnes of carbon dioxide emitted annually by a gas-powered car. It also runs silently, can be quickly recharged and reduces city smog, two-thirds of which is caused by idling, Mr. Clifford says.

While its top speed of 40 kilometres an hour wouldn't win it an Indy qualifying berth, "the average speed in downtown cities is 20 km/h," he says, "so it's very practical."

Yet it may be years before Canadians can get behind the wheel -- if they're allowed to drive it at all. Although the ZENN has Transport Canada's National Safety Mark, meaning it meets noise and emission standards for LSVs, the government recently revised its definition of the vehicle class to accommodate LSV truck manufacturers. The new guideline recommends limiting LSV speeds to 40 km/h roads, virtually eliminating city use. "Transport Canada and the Minister said such vehicles would be appropriate for university campuses, parks, gated communities and military bases," says Maryse Durette, a Transport Canada spokeswoman.

It's a recommendation that has LSV manufacturers howling. Chrysler-owned Global Electric Motorcars criticized the new definitions as "inconsistent" and "unacceptably vague" in a letter to the government dated last February.

"It appears that Transport Canada's proposal to limit the LSV classification . . . is based on its belief that they cannot be operated safely on streets and other roads," the company wrote, noting there have been no LSV-related deaths and just 10 minor injuries to date in the United States.

But the new restrictions themselves have caused one fatality. Unable to raise investment capital from a market made jittery by the definitions, B. C.-based Dynasty Electric Car Corporation recently sold its assets to a Pakistani company. "With the implication that [electric vehicles] would not be allowed on public roads, it has a huge impact on Canadian markets," says Danny Epp, general manager of Dynasty.

"It gives you a very strong signal of where the government is in terms of supporting this kind of technology."

According to Transport Canada, such arguments are moot without crash tests, which will take place on ZENN vehicles this summer, although it's not clear if the department will design an LSV-specific test program or use the standards for highway-capable vehicles.

"[ZENN has] been going around saying we wouldn't let them on the roads," says Ms. Durette. "So we said produce the proof that they meet the safety standards like crash tests, seat belts, side door reinforcements and air bags.

"[A] series of rules need to be applied for cars to go into mixed traffic and Transport Canada will determine if that vehicle -- it's not a car -- is meeting the requirements."

Dynasty vehicles failed the crash test in 2003, although Mr. Epp says he doesn't know why. "They tested them, they claim they didn't pass, but won't provide any details of the test," he says. "We have no idea what improvements would be required."

Until such tests are completed on ZENN vehicles, most provinces will hold off passing legislation permitting their use.

"We're really eagerly awaiting the results of the government crash tests," says John MacDonald, a spokesman at Prince Edward Island's Transportation and Public Works. "That will play into the decision we take."

In the meantime, Mr. Clifford concedes that his dream of replacing his Henney with a ZENN two-seater is remote.

"We have thousands and thousands of Canadians interested in electric vehicles. Canadians really want some options," says Mr. Clifford.