STATUTORY RULES OF NORTHERN IRELAND

2020 No. 31

ROAD TRAFFIC AND VEHICLES

The Electrically Assisted Pedal Cycles (Construction and Use) Regulations (Northern Ireland) 2020

Made - - - - 12th March 2020
Affirmed by resolution of the Assembly on - - - - 12th May 2020

Coming into operation in accordance with regulation 1

The Department for Infrastructure(**1**) makes the following Regulations in exercise of the powers conferred by Articles 6(1), 88(1), (2) and (3) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(**2**) and now vested in it(**3**).

Citation and commencement

1. These Regulations may be cited as the Electrically Assisted Pedal Cycles (Construction and Use) Regulations (Northern Ireland) 2020 and shall come into operation on the day after the day on which they are affirmed by resolution of the Assembly.

Interpretation

2.—(1) In these Regulations—

"the 1995 Order" means the Road Traffic (Northern Ireland) Order 1995;

"Council Directive 93/14" means Council Directive 93/14/EEC of 5th April 1993 on the braking of two or three wheel motor vehicles(**4**);

"EEA State" means a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993;

(**1**) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.)). Pursuant to section 1(9) of that Act, the Department of the Environment was dissolved
(**2**) 1995/2994 (N.I. 18); Article 6(1) was amended by Article 97(1) of, and paragraph 27 of Schedule 3 to, S.I. 1996/1320 (N.I. 10)
(**3**) See Article 8(1)(b) of, and Part 2 of Schedule 5 to, the Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016 No. 76)
(**4**) O.J. No. L121, 15.5.1993, p1

"electrically assisted pedal cycle" means a vehicle prescribed for the purposes of Article 6(1) of the 1995 Order in accordance with regulation 3;

"manufacturer" means, in the case of a vehicle which has been altered so as to become an electrically assisted pedal cycle, the person who made that alteration;

"Regulation (EU) No 168/2013" means Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15th January 2013 on the approval and market surveillance of two or three wheel vehicles and quadricycles(**5**) as supplemented by Commission Delegated Regulation (EU) No 3/2014 of 24th October 2013(**6**);

"the 1971 British Standard" means the specification for motors for battery operated vehicles published by the British Standards Institution under the reference 1727: 1971(**7**) as amended by Amendment Slip No.1 published on 31st January 1973, Amendment Slip No.2 published on 31st July 1974 and Amendment Slip No.3 published on 31st March 1978; and

"the 2015 BS EN Standard" means the specification for safety requirements for city and trekking, young adult, mountain and racing bicycles published by the British Standards Institution under the reference BS EN ISO 4210-2:2015(**8**).

(2) Any requirement in these Regulations for an electrically assisted pedal cycle to comply with a specified standard shall be satisfied by compliance with—

(a) any relevant standard or code of practice of a national standards body or equivalent body of any EEA State or the Republic of Turkey;

(b) any relevant international standard recognised for use in any EEA State or the Republic of Turkey; or

(c) any relevant technical regulation with mandatory or de facto mandatory application for marketing or use in any EEA State or the Republic of Turkey,

in so far as the standard, code of practice or technical regulation in question enables the specified standard to be met in a manner equivalent to that prescribed by Regulation (EU) No 168/2013.

Electrically assisted pedal cycle

3.—(1) The class of electrically assisted pedal cycles prescribed for the purposes of Article 6(1) of the 1995 Order (certain vehicles not to be treated as motor vehicles) consists of vehicles with two or more wheels which comply with the requirements specified in paragraph (2).

(2) The requirements referred to in paragraph (1) are that the vehicle shall—

(a) be fitted with pedals by means of which it is capable of being propelled; and

(b) be fitted with no motor other than an electric motor which—

(i) has a maximum continuous rated power which does not exceed 250 watts; and

(ii) cannot propel the vehicle when it is travelling at more than 15.5 miles per hour.

(3) In this regulation and in regulation 4 "maximum continuous rated power" has the same meaning as in Regulation (EU) No 168/2013.

(4) Notwithstanding paragraph (3), maximum continuous rated power may be determined in accordance with—

(a) any relevant standard or code of practice of a national standards body or equivalent body of any EEA State or the Republic of Turkey;

(**5**) O.J. No. L 60, 2.3.2013, p. 52
(**6**) O.J. No. L 7, 10.1.2014, p. 1-12
(**7**) ISBN 0 580 06861 7; Copies can be obtained from the British Standards Institution at www.bsigroup.com
(**8**) ISBN 978 0 580 89360 5; Copies can be obtained from the British Standards Institution at www.bsigroup.com

(b) any relevant international standard recognised for use in any EEA State or the Republic of Turkey; or

(c) any relevant technical regulation with mandatory or de facto mandatory application for marketing or use in any EEA State or in the Republic of Turkey,

in so far as the standard, code of practice or technical regulation in question enables maximum continuous rated power to be determined in a manner equivalent to that prescribed by Regulation (EU) No 168/2013.

General requirements

4. No person shall ride, or cause or permit to be ridden, on a road an electrically assisted pedal cycle unless—

(a) it is—

(i) fitted with a plate securely fixed in a conspicuous and readily accessible position showing—

(aa) the name of the manufacturer;

(bb) the nominal voltage of the battery as defined in the 1971 British Standard; and

(cc) the continuous rated output of the motor as defined in the 1971 British Standard; or

(ii) visibly and durably marked with—

(aa) the name of the manufacturer;

(bb) the maximum speed at which the motor can propel the vehicle specified in miles per hour or kilometres per hour; and

(cc) the maximum continuous rated power of the motor specified in watts or kilowatts;

(b) fitted with a battery which does not leak so as to be a source of danger; and

(c) fitted with a device biased to the off position which allows power to come from the motor only when the device is operated so as to achieve that result.

Braking systems

5.—(1) No person shall ride, or cause or permit to be ridden, on a road an electrically assisted pedal cycle unless it is fitted with braking systems which are so designed and constructed that—

(a) where it is a cycle to which Regulation (EU) No 168/2013 is applied by Article 2 of that Regulation, it complies with standards no less than those contained in the relevant type approval requirements; or

(b) where it is a cycle to which Regulation (EU) No 168/2013 is not applied by Article 2 of that Regulation—

(i) in the case of a cycle which is not a bicycle, it complies with standards no less than the standards for braking systems fitted to a bicycle which complies with paragraph 4.6.8 of the 2015 BS EN Standard; or

(ii) in the case of a cycle which is a bicycle, it complies with the standards for braking systems specified in paragraph 4.6.8 of the 2015 BS EN Standard.

(2) In this regulation "relevant type approval requirements" means, where—