



# Natural Environment and Rural Communities Act 2006

## 2006 CHAPTER 16

### PART 6

#### RIGHTS OF WAY

##### *Rights of way and mechanically propelled vehicles*

#### **68 Presumed dedication of restricted byways and use by pedal cycles etc.**

- (1) Amend section 31 of the Highways Act 1980 (c. 66) (dedication of highway presumed after public use for 20 years) as follows.
- (2) After subsection (1) insert—
  - “(1A) Subsection (1)—
    - (a) is subject to section 66 of the Natural Environment and Rural Communities Act 2006 (dedication by virtue of use for mechanically propelled vehicles no longer possible), but
    - (b) applies in relation to the dedication of a restricted byway by virtue of use for non-mechanically propelled vehicles as it applies in relation to the dedication of any other description of highway which does not include a public right of way for mechanically propelled vehicles.”
- (3) After subsection (10) insert—
  - “(10A) Nothing in subsection (1A) affects the obligations of the highway authority, or of any other person, as respects the maintenance of a way.”
- (4) After subsection (11) insert—
  - “(12) For the purposes of subsection (1A) “mechanically propelled vehicle” does not include a vehicle falling within section 189(1)(c) of the Road Traffic Act 1988 (electrically assisted pedal cycle).”