
STATUTORY INSTRUMENTS

1998 No. 1807

The Motor Cycles (Protective Helmets) Regulations 1998

Protective headgear

4.—(1) Save as provided in [^{F1}paragraphs (2) and (2A)], every person driving or riding (otherwise than in a side-car) on a motor bicycle when on a road shall wear protective headgear.

(2) Nothing in paragraph (1) shall apply to any person driving or riding on a motor bicycle if—

- (a) it is a mowing machine; or
- (b) it is for the time being propelled by a person on foot.

[^{F2}(2A) Nothing in paragraph (1) shall apply to any person driving an electric scooter being used in a trial.]

(3) In this regulation—

[^{F3}“electric scooter” means a motor bicycle which—

- (a) is fitted with an electric motor with a maximum continuous power rating not exceeding 500 watts;
- (b) is not fitted with pedals that are capable of propelling the vehicle;
- (c) has two wheels, one front and one rear, aligned along the direction of travel;
- (d) is designed to carry no more than one person;
- (e) has a maximum weight, excluding the driver, not exceeding 55 kilograms;
- (f) has a maximum design speed not exceeding 15.5 miles per hour;
- (g) has a means of directional control through the use of handlebars which are mechanically linked to the steered wheel;
- (h) has a means of controlling the speed through hand controls; and
- (i) has a power control that defaults to the ‘off’ position;

“local public authority” means—

- (a) in England and Wales, any body, other person or holder of any office listed in Part 2 (local government) of Schedule 1 to the Freedom of Information Act 2000; and
- (b) in Scotland, any body, other person or holder of any office listed in Part 3 (local government) of Schedule 1 to the Freedom of Information (Scotland) Act 2002;]

“motor bicycle” means a two-wheeled motor cycle, whether or not having a side-car attached, and for the purposes of this definition where the distance measured between the centre of the area of contact with the road surface of any two wheels of a motor cycle is less than 460 millimetres, those wheels shall be counted as one wheel;

“protective headgear” means a helmet which—

- (a) either—
 - (i) bears a marking applied by its manufacturer indicating compliance with the specifications contained in one of the British Standards (whether or not as modified by any amendment) mentioned in Schedule 2 to these Regulations; or

- (ii) is of a type manufactured for use by persons on motor cycles which by virtue of its shape, material and construction could reasonably be expected to afford to the wearer a degree of protection from accidental injury similar to or greater than that provided by a helmet of a type prescribed by regulation 5;
- (b) if worn with a chin cup attached to or held in position by a strap, is provided with an additional strap (to be fastened under the wearer’s jaw) for securing the helmet to the head; and
- (c) is securely fastened to the head by means of straps provided for that purpose; ^{F4} ...
- “strap” includes any fastening device [^{F5}; and
- “trial” means an assessment as to the suitability of electric scooters for use on roads conducted by virtue of—
- (a) an order made under sections 44 and 63(5) of the Road Traffic Act 1988; or
- (b) an arrangement made between one or more local public authorities and a person who hires out electric scooters]

- F1** Words in reg. 4(1) substituted (4.7.2020) by The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 reg. 1(2), **3(2)(a)**
- F2** Reg. 4(2A) inserted (4.7.2020) by The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 reg. 1(2), **3(2)(b)**
- F3** Words in reg. 4(3) inserted (4.7.2020) by The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 reg. 1(2), **3(2)(c)(i)**
- F4** Word in reg. 4(3) omitted (4.7.2020) by virtue of The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 reg. 1(2), **3(2)(c)(ii)**
- F5** Words in reg. 4(3) inserted (4.7.2020) by The Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020 (S.I. 2020/663), Pt. 1 reg. 1(2), **3(2)(c)(iii)**

Commencement Information

- I1** Reg. 4 in force at 21.8.1998, see **reg. 1**

Changes to legislation:

There are currently no known outstanding effects for the The Motor Cycles (Protective Helmets) Regulations 1998, Section 4.