

2015 No. 474

ROAD TRAFFIC

**The Pedal Cycles (Construction and Use) (Amendment)
Regulations 2015**

<i>Made</i> - - - -	<i>3rd March 2015</i>
<i>Laid before Parliament</i>	<i>5th March 2015</i>
<i>Coming into force</i> - -	<i>6th April 2015</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 81(1), (2), (4) and (5) of the Road Traffic Act 1988(a).

In accordance with section 195(2) of that Act the Secretary of State has consulted with representative organisations.

Citation and commencement

1. These Regulations may be cited as the Pedal Cycles (Construction and Use) (Amendment) Regulations 2015 and come into force on 6th April 2015.

Amendment of the Pedal Cycles (Construction and Use) Regulations 1983

2.—(1) The Pedal Cycles (Construction and Use) Regulations 1983(b) are amended as follows.

(2) In regulation 3—

(a) in paragraph (1)(b)(ii), for “section 103 of the Road Traffic Regulation Act 1967 and section 193 of the Road Traffic Act 1972”, substitute “section 140 of the Road Traffic Regulation Act 1984 and section 189 of the Road Traffic Act 1988”;

(b) for paragraph (1)(c), substitute—

“(c) “the 1971 British Standard” means the specification for motors for battery operated vehicles published by the British Standards Institution under the reference 1727: 1971(c) 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;”;

(c) for paragraph (1)(d), substitute—

“(d) “the 2014 BS EN Standard” means the specification for safety requirements for city and trekking, young adult, mountain and racing bicycles published by the

(a) 1988 c.52.

(b) S.I. 1983/1176.

(c) ISBN 0 580 06861 7. Copies can be obtained from the British Standards Institution at www.bsigroup.com.

British Standards Institution under the reference BS EN ISO 4210-2:2014(a); and”
;

(d) after paragraph (1)(d), add—

“(e) “Regulation (EU) 168/2013” means Regulation (EU) 168/2013(b) 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(c).”; and

(e) for paragraph (2), substitute—

“(2) Any requirement in these Regulations for a pedal cycle to comply with a specified standard is satisfied by compliance with—

- (a) any relevant standard or code or 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 in the Republic of Turkey,

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

(3) In regulation 4—

(a) omit the words “it is fitted with”;

(b) for paragraph (a) substitute—

“(a) it is—

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

- (aa) the name of the manufacturer of the vehicle,
- (bb) the nominal voltage of the battery (as defined in the 1971 British Standard) of the vehicle, and
- (cc) the continuous rated output (as defined in the 1971 British Standard) of the motor of the vehicle; or

(ii) visibly and durably marked with—

- (aa) the name of the manufacturer of the vehicle,
- (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 (as defined in the Electrically Assisted Pedal Cycles Regulations 1983)(d) of the motor of the vehicle specified in watts or kilowatts;”;

(c) omit paragraph (b); and

(d) at the beginning of paragraphs (c) and (d), insert “it is fitted with”.

(4) After regulation 4 insert—

“**4A.**—(1) No person shall ride, or cause or permit to be ridden, on a road a pedal cycle to which the Electrically Assisted Pedal Cycles Regulations 1983 apply unless it is fitted with braking systems which are so designed and constructed that—

(a) ISBN 978 0 580 78278 7. Copies can be obtained from the British Standards Institution at www.bsigroup.com.

(b) OJ No. L60, 2.3.2013, p.52.

(c) Regulation (EU) No 168/2013 defines “maximum continuous rated power” as the maximum thirty minutes power at the output shaft of an electric engine as set out in United Nations Economic Commission for Europe (UNECE) regulation No 85.

(d) S.I. 1983/1168; amended by S.I. 2015/24.

- (a) if it is a pedal cycle to which Regulation (EU) 168/2013 is applied by article 2 of that Regulation, they comply with the standards for braking systems contained in relevant type approval requirements; or
 - (b) if it is a pedal cycle to which Regulation (EU) 168/2013 is not applied by article 2 of that Regulation—
 - (i) in the case of a bicycle, they comply with the standards for braking systems specified in paragraph 4.6.8 of the 2014 BS EN Standard; or
 - (ii) in the case of a pedal cycle which is not a bicycle, they comply with the standards for braking systems fitted to a bicycle which comply with clause 4.6.8 of the 2014 BS EN Standard.
- (2) In this regulation “relevant type approval requirements” means, where the pedal cycle is covered by—
- (a) a type approval granted by the Secretary of State under the Motor Cycles (EC Type Approval) Regulations 1995(a), the construction and fitting requirements set out in the Annex to Council Directive 93/14/EEC of 5th April 1993 on the braking of two or three-wheel motor vehicles(b) (“Council Directive 93/14”);
 - (b) a type approval granted by the Secretary of State under the Motor Cycles Etc (EC Type Approval) Regulations 1999(c), the construction and fitting requirements set out in the Annex to Council Directive 93/14 at the time the approval was granted;
 - (c) an approval certificate granted by the Secretary of State under section 58 of the Road Traffic Act 1988(d), the approval requirements for brakes(e) applicable under regulation 4 of the Motor Cycles Etc. (Single Vehicle Approval) Regulations 2003(f); or
 - (d) a type approval granted by the Secretary of State under Regulation (EU) 168/2013, the requirements applying to braking, including anti-lock and combined braking systems set out in Annex III to Commission Delegated Regulation (EU) No 3/2014 of 24th October 2013 supplementing Regulation (EU) 168/2013 with regard to vehicle functional safety requirements for the approval of two- or three-wheel vehicles and quadricycles(g).”.
- (5) In regulation 5(b), for “4(b), (c) and (d)” substitute “4(c) and (d) and 4A(1)(a) or (b)”.
- (6) In regulations 11 and 12, for the words “Regulation 4(b)” substitute “Regulation 4A”.

Signed by authority of the Secretary of State for Transport

Claire Perry
Parliamentary Under Secretary of State
Department for Transport

3rd March 2015

(a) S.I. 1995/1513; revoked but type approvals granted under them may exist.
 (b) OJ No. L121, 15.5.1993, p.1.
 (c) S.I. 1999/2920, amended by S.I. 2007/2656; there are other amending instruments but they are not relevant.
 (d) 1988 c. 52.
 (e) See Schedule 2 to the Motor Cycles Etc (Single Vehicle Approval) Regulations 2003, item 25 “Brakes”.
 (f) S.I. 2003/1959.
 (g) OJ No. L7, 10.1.2014, p.1.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Pedal Cycles (Construction and Use) Regulations 1983.

The amendments made by these Regulations change the requirements which apply to electrically assisted pedal cycles (vehicles of the class prescribed by the Electrically Assisted Pedal Cycles Regulations 1983). The changes:

- update the reference to a 1981 British Standard for braking requirements to the 2014 BS EN Standard;
- alter the requirements for the information plate of the vehicle to allow for alternative marking requirements; and
- update the braking requirements for such vehicles to require compliance with the 2014 BS EN Standard or compliance with the standards required when the vehicle was type-approved (if applicable).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen. An Explanatory Memorandum is available alongside this instrument at www.legislation.gov.uk.

These Regulations were notified in draft to the European Commission in accordance with Directive 98/34/EC (OJ No L204 21.7.1998, p37) as amended by Directive 98/48/EC (OJ No L217 5.8.1998, p18).

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