



Jersey

PEDAL CYCLES (JERSEY) ORDER 1998

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PEDAL CYCLES (JERSEY) ORDER 1998

Contents

Article

| | | |
|----|---|---|
| 1 | Interpretation | 3 |
| 2 | Electrically assisted pedal cycles | 4 |
| 3 | Requirements applicable to electrically assisted pedal cycles..... | 5 |
| 4 | Requirements applicable to pedal cycles other than electrically assisted pedal cycles | 5 |
| 5 | Exceptions..... | 6 |
| 6 | Warning instruments..... | 7 |
| 6A | Bicycle helmets for children | 7 |
| 7 | Testing and inspection..... | 8 |
| 8 | Penalty for infringement of this Order | 8 |
| 9 | Citation | 8 |

SCHEDULE **9**

| | | |
|-----------------------|---|----|
| STANDARDS FOR HELMETS | | 9 |
| 1 | Compliance of helmet with standard | 9 |
| 2 | Requirements as to size and wearing of helmet | 9 |
| 3 | The European standards..... | 9 |
| 4 | The non-European standards | 10 |

ENDNOTES **11**

| | | |
|--------------------------------------|--|----|
| Table of Legislation History..... | | 11 |
| Table of Renumbered Provisions | | 11 |
| Table of Endnote References | | 11 |



Jersey

PEDAL CYCLES (JERSEY) ORDER 1998

THE HOME AFFAIRS COMMITTEE, in pursuance of Articles 3, 45A, 80 and 84 of the [Road Traffic \(Jersey\) Law 1956](#), has made the following Order –¹

Commencement [[see endnotes](#)]

1 Interpretation

(1) In this Order, unless the context otherwise requires –

“1987 British Standard” means the specification for motors for battery operated vehicles published by the British Standards Institution under the reference BS 1727:1987;

“2014 BS EN Standard” means the specification for city and trekking, young adult, mountain and racing bicycles published by the British Standards Institution under the reference BS EN ISO 4210-2-2014;

“continuous rated output” has the same meaning as in the 1987 British Standard;

“EEA State” means a member State of the European Union and any other state that is a party to the agreement on the European Economic Area signed at Oporto on 2nd May 1992 when read with any Protocol adjusting that agreement;

“electrically assisted pedal cycle” means an electrically assisted pedal cycle of a class prescribed by Article 2;

“kerbside weight”, in relation to an electrically assisted pedal cycle, means the weight of the cycle without any person on it and with no load other than the loose tools and equipment with which it is normally equipped;

“Law” means the [Road Traffic \(Jersey\) Law 1956](#);

“maximum continuous rated power” has the meaning in Article 2(3);

“nominal voltage” means the nominal voltage of the battery as defined in the 1987 British Standard;

“Regulation (EU) 168/2013” means Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two-or three-wheel vehicles and quadricycles (OJ L 060, 2.3.2013, p.52) as amended from time to time;

“tandem bicycle” means a bicycle which is designed to carry 2 or more persons at least 2 of whom can propel the vehicle at the same time.²

- (2) Any requirement in this Order for a pedal cycle to comply with a specified standard is satisfied by any of the following provided that it is no lower than the specified standard –
- (a) a relevant standard or code of practice of a national standards body or equivalent body of the United Kingdom or any EEA State;
 - (b) a relevant international standard recognised for use as a standard in the United Kingdom or any EEA State;
 - (c) a relevant technical specification recognised for use as a standard by a public authority of the United Kingdom or of any EEA State;
 - (d) a relevant standard, code of practice or technical specification that is equivalent to a standard, code of practice or technical specification referred to in any of paragraph (a) to (c) in use in another country or territory.³

2 Electrically assisted pedal cycles⁴

- (1) The class of electrically assisted pedal cycles prescribed for the purposes of Article 3 of the Law consists of bicycles and tricycles which comply with the requirements of paragraph (2).
- (2) Those requirements are that each vehicle must –
- (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 Order, “maximum continuous rated power” has the same meaning as in Regulation (EU) 168/2013 and may be determined in accordance with any of the following provided the manner of determination is equivalent to that provided for in Regulation (EU) 168/2013 –
- (a) a relevant standard or code of practice of a national standards body or equivalent body of the United Kingdom or any EEA State;
 - (b) a relevant international standard recognised for use as a standard in the United Kingdom or any EEA State;
 - (c) a relevant technical specification recognised for use as a standard by a public authority of the United Kingdom or of any EEA State;
 - (d) a relevant standard, code of practice or technical specification that is equivalent to a standard, code of practice or technical specification referred to in any of paragraphs (a) to (c) in use in another country or territory.

3 Requirements applicable to electrically assisted pedal cycles

- (1) A person must not ride or cause or permit to be ridden, on a road or cycle track, an electrically assisted pedal cycle unless –
 - (a) it is –
 - (i) fitted with a plate securely fixed in a conspicuous and readily accessible position showing –
 - (A) the name of the manufacturer of the vehicle,
 - (B) the nominal voltage, and
 - (C) the continuous rated output, or
 - (ii) visibly and durably marked with –
 - (A) the name of the manufacturer of the vehicle,
 - (B) the maximum speed at which the motor can propel the vehicle specified in miles per hour or kilometres per hour, and
 - (C) the maximum continuous rated power of the motor of the vehicle specified in watts or kilowatts;
 - (b) it is fitted with braking systems which are so designed and constructed that –
 - (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 tricycle, they comply with standards no lower than the standards applicable to bicycles referred to in clause (i);
 - (c) it is fitted with a battery which does not leak so as to be a source of danger; and
 - (d) it is 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.⁵
- (2) A person must not ride, or cause or permit to be ridden, on a road or cycle track an electrically assisted pedal cycle unless the parts mentioned in the following are in efficient working order –
 - (a) Article 2(2)(a) and (b); and
 - (b) paragraph (1)(b), (c) and (d) of this Article.⁶
- (3) In this Article “manufacturer” means, in the case of a pedal cycle which has been altered so as to become an electrically assisted pedal cycle, the person who made that alteration.

4 Requirements applicable to pedal cycles other than electrically assisted pedal cycles

- (1) Subject to Article 5, no person shall ride, or cause or permit to be ridden, on a road or cycle track a pedal cycle other than an electrically assisted pedal cycle unless it complies with the following provisions of this Article.
- (2) Every pedal cycle shall have at least one braking system.
- (3) Every pedal cycle to which this paragraph applies which has at least one wheel incapable of rotating independently of the pedals shall have a braking system

- operating on the front wheel or, if it has more than one front wheel, on at least 2 of those wheels.
- (4) Every pedal cycle to which this paragraph applies which does not have at least one wheel incapable of rotating independently of the pedals shall have –
- (a) the braking system described in paragraph (3); and
 - (b) an independent braking system operating on the rear wheel, or, if it has more than one rear wheel, on at least 2 of those wheels.
- (5) Paragraphs (3) and (4) apply to –
- (a) a bicycle or tricycle with a saddle not less than 635 millimetres in the height;
 - (b) a pedal cycle with 4 or more wheels; and
 - (c) a pedal cycle manufactured before 1st August 1984 which has any wheel with an outside diameter (including any tyre when fully inflated) exceeding 460 millimetres.
- (6) Every braking system required to be fitted to a pedal cycle in accordance with this Article shall be in efficient working order.
- (7) In this Article –
- (a) “height”, in relation to a saddle, means the height above the ground of the part of the seating area of the saddle which is furthest from the ground when the cycle to which the saddle is attached is raised to the fullest extent compatible with safety and the tyres on the wheels of the cycle are fully inflated; and
 - (b) except in the case of a cycle having 4 or more wheels, none of which has an outside diameter exceeding 250 millimetres (including any tyre when fully inflated), a braking system shall be deemed not to be in efficient working order if any brake operates directly on a pneumatic tyre on any wheel.

5 Exceptions

- (1) Article 4 shall not apply to any pedal cycle which –
- (a) is so constructed that the pedals act on any wheel or on the axle of any wheel without the interposition of any gearing or chain; or
 - (b) is being ridden by a person –
 - (i) ordinarily resident outside Jersey,
 - (ii) temporarily resident in Jersey, and
 - (iii) who brought the cycle temporarily into Jersey,
- provided that the brakes of that cycle comply with the requirements of Article 26 of the International Convention on Road Traffic signed at Geneva on 19th September 1949, as amended.
- (2) A tricycle not constructed or adapted for the carriage of goods shall be treated as complying with the requirements of Article 4(4) if it has 2 independent braking systems operating on the front wheel if it has 2 rear wheels, or on the rear wheel, if it has 2 front wheels.

6 Warning instruments

Every pedal cycle shall be fitted with a bell capable of giving audible and sufficient warning of its approach or position and no other instrument shall be used for giving such warning.

6A Bicycle helmets for children⁷

- (1) Paragraph (2) applies to a child of 13 years or younger who, on a road or cycle track, drives or rides on –
 - (a) a pedal cycle; or
 - (b) a trailer drawn by a pedal cycle.
- (2) The child must wear a protective helmet that –
 - (a) is securely fastened to the child's head;
 - (b) complies with a standard as set out in the Schedule;
 - (c) conforms in size, adjustment and positioning to the requirements set out in the Schedule in relation to that standard and that child; and
 - (d) was manufactured no more than 10 years before the date on which it is used.
- (3) Paragraph (2) does not apply to –
 - (a) a child who drives or rides on a sea beach;
 - (b) a child who rides on a pedal cycle that is controlled by an adult pedestrian, when that pedal cycle is on –
 - (i) a cycle track,
 - (ii) a road specified in Schedule 3 to the [Road Traffic \(Speed Limits\) \(Jersey\) Order 2003](#), or
 - (iii) in relation to a road not so specified, a part of the road other than its carriageway;
 - (c) a child who, in the circumstances set out in paragraph (4), rides on a trailer;
 - (d) a child who, on a cycle track, drives or rides on a pedal cycle having 4 or more wheels; or
 - (e) a child who, being a follower of the Sikh religion, is wearing a turban.
- (4) The circumstances referred to in paragraph (3)(c) are that –
 - (a) the trailer is attached by a hinge to a pedal cycle;
 - (b) the trailer has at least 2 wheels in parallel;
 - (c) the trailer conforms to one of the standards described in paragraph (5), being the version (whether by way of variation, supplement, re-issue or otherwise) of that standard that had effect at the date on which the trailer was manufactured;
 - (d) the child is restrained by a safety belt in accordance with the manufacturer's instruction provided under that standard; and
 - (e) the child is no taller than the maximum height marked on the trailer under that standard.
- (5) The standards referred to in paragraph (4)(c) are –

- (a) British Standard BS EN 15918 of the British Standards Institution; and
- (b) any other standard that is the national implementation, by the standards organization of a country that is a member of the European Committee for Standardization (Comité Européen de Normalisation), of European Standard EN 15918.

7 Testing and inspection

Any police officer or Traffic Officer may, for the purpose of ascertaining whether any of the requirements specified in Article 3(1), 4(2), 4(3), 4(4), 6A(2) or 6A(4) or the Schedule are satisfied, test and inspect a pedal cycle, protective helmet or trailer –

- (a) on a road or cycle track; or
- (b) if the cycle, helmet or trailer has been involved in an accident, at any premises where the cycle, helmet or trailer is located provided that –
 - (i) the test and inspection are carried out within 48 hours of the accident, and
 - (ii) the owner of the premises consents.⁸

8 Penalty for infringement of this Order

A person who contravenes or fails to comply with any provision of this Order, other than Article 6A, shall be liable to a fine not exceeding level 2 on the standard scale.⁹

9 Citation

This Order may be cited as the Pedal Cycles (Jersey) Order 1998.

SCHEDULE¹⁰

(Article 6A)

STANDARDS FOR HELMETS

1 Compliance of helmet with standard

A protective helmet complies with a standard if –

- (a) it conforms to one of the European standards specified in paragraph 3 or the non-European standards specified in paragraph 4, being in either case the version (whether by way of variation, supplement, re-issue or otherwise) of that standard that had effect at the date on which it was manufactured; and
- (b) in the case of a non-European standard, it is marked with the number or other identifier of the standard to which it conforms and the name or certification mark of the body setting the standard (whether or not they are required to be so marked by that standard).

2 Requirements as to size and wearing of helmet

The requirements referred to in Article 6A(2)(c) are –

- (a) in the case of a European standard, that –
 - (i) the circumference of the child's head matches the helmet's size, or is within the helmet's size range, being the size or range that is marked on the helmet under that standard, and
 - (ii) the helmet is adjusted and positioned in accordance with the information supplied by the manufacturer under that standard;
- (b) in the case of a non-European standard, that the size, adjustment and positioning of the helmet conform to any requirements or descriptions that are applicable to that helmet and that child and are contained –
 - (i) in that standard,
 - (ii) in any marking on the helmet made under that standard, or
 - (iii) in any information supplied by the manufacturer or any other person under that standard.

3 The European standards

The European standards are –

- (a) British Standard BS EN 1078 (Helmets for pedal cyclists and for users of skateboards and roller skates) of the British Standards Institution;
- (b) British Standard BS EN 1080 (Impact protection helmets for young children) of the British Standards Institution;

- (c) any other standard that is the national implementation, by the standards organization of a country that is a member of the European Committee for Standardization (Comité Européen de Normalisation), of European Standard EN 1078 or European Standard EN 1080.

4 The non-European standards

The non-European standards are –

- (a) the standards in Part 1203 (Safety Standard for Bicycle Helmets) of Title 16 of the Code of United States Federal Regulations;
- (b) Canadian Standards Association Standard CAN/CSA D113.2-M89 (Cycling Helmets).

ENDNOTES

Table of Legislation History

| Legislation | Year and No | Commencement |
|--|----------------------------------|-------------------|
| Pedal Cycles (Jersey) Order 1998 | R&O.9310 | 9 November 1998 |
| Pedal Cycles (Amendment) (Jersey) Order 2011 | R&O.62/2011 | 1 June 2011 |
| Pedal Cycles (Amendment No. 2) (Jersey) Order 2014 | R&O.116/2014 | 6 October 2014 |
| Pedal Cycles (Amendment No. 3) (Jersey) Order 2015 | R&O.110/2015 | 21 September 2015 |
| Pedal Cycles (Amendment No. 4) (Jersey) Order 2021 | R&O.60/2021 | 5 May 2021 |

Table of Renumbered Provisions

| Original | Current |
|-----------|--|
| 1(1) | 1 |
| 1(2), (3) | spent, omitted from this revised edition |
| 9 | spent, omitted from this revised edition |
| 10 | 9 |

Table of Endnote References

| | |
|---------------------------------|-------------------------------------|
| ¹ Enacting provision | amended by R&O.116/2014 |
| ² Article 1(1) | amended by R&O.62/2011, R&O.60/2021 |
| ³ Article 1(2) | inserted by R&O.60/2021 |
| ⁴ Article 2 | substituted by R&O.60/2021 |
| ⁵ Article 3(1) | substituted by R&O.60/2021 |
| ⁶ Article 3(2) | substituted by R&O.60/2021 |
| ⁷ Article 6A | inserted by R&O.116/2014 |
| ⁸ Article 7 | amended by R&O.116/2014 |
| ⁹ Article 8 | amended by R&O.116/2014 |
| ¹⁰ Schedule | added by R&O.116/2014 |