

ORDINANCE OF THE CHIEF PLEAS OF SARK

Ordinance No. V of 2019

The Electric Bicycles (Sark) Ordinance, 2019

THE CHIEF PLEAS OF SARK, in pursuance of their Resolutions of the 1st May, 2019 and the 3rd July 2019, and in exercise of the powers conferred on them by sections 40 and 41 of the Motor Vehicles (Sark) Law, 2013^a, hereby order:-

Amendments to Motor Vehicles Law.

1. The Motor Vehicles (Sark) Law, 2013 is hereby amended as set out in sections 2 and 3.

2. Immediately after section 29, insert the following additional Part –

"

PART 5A

Electric bicycles

Restriction on use of electric bicycles.

30A. (1) No person may ride or attempt to ride an electric bicycle ("cycle") on a public road unless the person has attained the age of 14 years and the cycle –

(a) has a kerbside weight not exceeding –

(i) in the case of a bicycle, other than a

^a Order in Council No. XV of 2013; amended by Ordinance No. VIII of 2018.

tandem bicycle, 40 kilograms, and

- (ii) in the case of a tandem bicycle or a tricycle, 60 kilograms,
- (b) is fitted with pedals by means of which it is capable of being propelled,
- (c) is 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 cycle when it is travelling at more than 15.5 miles per hour, and
 - (iii) cannot propel the cycle when the cyclist is not pedalling; save where the cycle was licensed for use on the island on or before 10th April 2013, in which case this sub-paragraph shall not apply.

(2) A person who –

- (a) being under the age of 14 years, rides or attempts to ride such an electric bicycle, or

- (b) knowing or suspecting that another person is under the age of 14 years, causes or permits that person to ride such an electric bicycle,

is guilty of an offence and liable on conviction to such penalty as the person would have incurred had he or she been convicted of an offence under section 37.

(3) The Douzaine may from time to time by regulations amend the provisions of paragraphs (a), (b) and (c) of subsection (1) so as to modify the specifications set out therein."

3. In section 44 –

- (a) in the definition of "**invalid carriage**", omit the word "or" at the end of paragraph (a) and omit paragraph (b),

- (b) immediately after the definition of "**Island Medical Officer**", insert –

"**maximum continuous rated power**" has the same meaning as in Regulation (EU) No. 168/2013 of the European parliament and of the Council of 15th January 2013 or any relevant international standard or code of practice,"

- (c) in the definition of "**motor vehicle**", immediately after "powered wheelchair" add "or an electric bicycle which complies with paragraphs (a), (b) and (c) of

section 30A(1)".

Amendments to Offences Law.

4. In the Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Law, 2013^b -

- (a) in section 15(1) and (5), omit "an electric bicycle or" in each place where it occurs,
- (b) in section 26(1), in the definition of "**bicycle**", immediately after "tricycle", insert "or an electric bicycle which complies with paragraphs (a), (b) and (c) of section 30A(1) of the Motor Vehicles Law".

Citation and commencement.

5. This Ordinance may be cited as the Electric Bicycles (Sark) Ordinance, 2019 and it shall come into operation on the 4th July 2019.

^b Order in Council No. XVI of 2013; amended by No. IX of 2015; No. II of 2016.