

VIEWPOINT information on issues of concern.

What is the legal status for 'GoPeds' and 'Electric Scooters'?

Power assisted scooters have been widely advertised and prices have dropped recently. This has led to them being a popular gift for adults and children alike. Both petrol driven and battery powered scooters are available; some of which have a pedal cycle type seat fitted to them. Battery powered scooters tend to be slower than petrol ones, often with a top speed of about 15mph.

To be used on the road, or in any place to which the public has access, these scooters would have to meet all construction and use requirements. They would be required to have European Whole Vehicle Type Approval, be registered with the DVLA, taxed and be fitted with a number plate. The rider would have to hold a valid driver licence, be insured for the vehicle and need to wear a proper motorcycle helmet. In addition, any user would need to comply with the Highway Code and all driving legislation.

Although there are exemptions to road traffic legislation for some motorised vehicles that meet specific requirements, for example, motorised pedal cycles and mobility scooters, neither the petrol driven scooters, nor the battery powered ones that have recently become popular meet these requirements.

A situation could arise where a parent purchases one of these scooters as a gift and the child then uses it in a public place without realising that they are liable to prosecution. Similarly, an adult may be tempted to ride home after a drink with friends and face a breathalyser test. These scooters may be great fun but are simply not appropriate, nor legal to use on the road or pavement. They could pose a real threat to the riders themselves or other road users - particularly in the dark or poor weather conditions.

If consumers have been misled by the seller in this way, they should contact the Trading Standards Department

The Facts about electrically assisted cycles

The Electrically Assisted Pedal Cycle Regulations 1983 exclude relevant vehicles from road traffic legislation, but to satisfy this exemption the vehicle must have pedals by which it is primarily propelled, have an electric motor with no more than 200w output, and only benefit from electrical assistance up to 15mph. They can only be ridden by someone who has reached the age of 14.

In September 2000 a woman in London was convicted of riding an electrically propelled scooter on the road without insurance. The case was subject to appeal to Crown Court and the High Court. On 10th July 2002 in the case *Letitia Winter v DPP* the High Court held that the scooter, despite having tiny pedals fitted to the front wheel, could not benefit from the exemption for electrically assisted cycles and upheld the conviction.

Source http://www.essex.police.uk/about/a_dp_41.php

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