



Road Amendment (Power-Assisted Pedal Cycles) Rules 2012

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Rules under the *Road Transport (Safety and Traffic Management) Act 1999*.

DUNCAN GAY, MLC
Minister for Roads and Ports

Explanatory note

The object of these Rules is to amend the *Road Rules 2008* to include power-assisted pedal cycles (which include pedalecs) in the definition of *bicycle*.

These Rules are made under the *Road Transport (Safety and Traffic Management) Act 1999*, including sections 71 and 72A (the general rule-making power) and Schedule 1.

2012 No 622

Rule 1 Road Amendment (Power-Assisted Pedal Cycles) Rules 2012

Road Amendment (Power-Assisted Pedal Cycles) Rules 2012

under the

Road Transport (Safety and Traffic Management) Act 1999

1 Name of Rules

These Rules are the *Road Amendment (Power-Assisted Pedal Cycles) Rules 2012*.

2 Commencement

These Rules commence on the day on which they are published on the NSW legislation website.

Schedule 1 Amendment of Road Rules 2008

[1] Dictionary

Omit the definition of a *bicycle*. Insert instead:

bicycle means a vehicle with 2 or more wheels that is built to be propelled by human power through a belt, chain or gears (whether or not it has an auxiliary motor), and includes:

- (a) a pedicab, penny-farthing and tricycle, and
- (b) a power-assisted pedal cycle within the meaning of vehicle standards, as amended from time to time, determined under section 7 of the *Motor Vehicle Standards Act 1989* of the Commonwealth,

but does not include:

- (c) a wheelchair, wheeled recreational device, wheeled toy, or
- (d) any vehicle with an auxiliary motor capable of generating a power output over 200 watts (whether or not the motor is operating), other than a vehicle referred to in paragraph (b).

Note 1. *Power-assisted pedal cycle* is defined in the *Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005* determined under section 7 of the *Motor Vehicle Standards Act 1989* of the Commonwealth. The definition of *power-assisted pedal cycle* includes pedalecs within the meaning of that Standard (which may have one or more auxiliary propulsion motors generating a combined power output not exceeding 250 watts).

Note 2. *Vehicle* is defined in rule 15, and *wheelchair*, *wheeled recreational device* and *wheeled toy* are defined in this Dictionary.

Note 3. This definition is not uniform with the corresponding definition in the Dictionary of the *Australian Road Rules*. Different definitions may apply in other Australian jurisdictions.

[2] Dictionary, definition of “motor vehicle”

Insert “(other than a bicycle)” after “a vehicle”.

[3] Dictionary, definition of “motor vehicle”

Omit the note to the definition. Insert instead:

Note 1. *Bicycle* is defined in this Dictionary.

Note 2. This definition is not uniform with the corresponding definition in the Dictionary of the *Australian Road Rules* because the rules relating to motorised scooters in the *Australian Road Rules* have not been reproduced in these Rules. This definition also expressly excludes bicycles. Different definitions may apply in other Australian jurisdictions.