



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-00960

Keyword: Road Policing

Subject: Electrically Assisted Pedal Bikes

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold information to which your request relates. The decision has been taken to disclose the following.

Request 1

Please can you indicate enforcement action against EAPCs e-bikes since the 1997 Road Traffic Order by year?

Answer

As the 1997 Road Traffic Order is not law in Northern Ireland, the PSNI do not record statistics for enforcement action regarding this type of vehicle.

Request 2

Can you provide a copy of any local advice provided to police officer on EAPCs?

Answer

With regards to the official police position in respect of electric cycles and the legality of their use on the public road. The following is a summary of the legislative position and local guidelines for PSNI Officers:

'GB made Electrically Assisted Cycle Regulations in 1983. These Regs served to define and regularise the construction of electric cycles and placed them outside the definition of a motor vehicle thereby treating them much as regular cycle but with restrictions upon the power output and top speed etc. NI made provision in the Road Traffic (NI) Order 1995 for similar Regs which inexplicably were not replicated in NI at the time. I am advised the Department consulted on draft Regs a year or more ago, but that to become law, requires "affirmative resolution" in the Assembly. The vacuum this has created means that an electric cycle is for the foreseeable future, essentially regarded as a motor cycle and consequently requires to be registered with DVLA (who are now able to do so), the rider must undertake Compulsory Basic Training (CBT), wear protective headgear and insure the vehicle.'

The PSNI understand it is a concern for people who simply want to comply with the law and enjoy their electric cycle in the same way as those in GB are able to do. While of course any individual Police Officer will always have discretion to deal with matters as they deem appropriate and

according to the individual circumstances that prevail, it is not for the Chief Constable to issue directions that the law, as it applies with regard to electric cycle users, should be disregarded.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.