

## **SECOND READING SPEECH**

**THE HON RENE HIDDING, MP**

### **VEHICLE AND TRAFFIC AMENDMENT (POWER ASSISTED PEDAL CYCLES) BILL 2014**

**Madam Speaker,**

I move that the Bill now be read a second time.

Madam Speaker, this Bill successfully passed through the House of Assembly and was tabled in the Legislative Council last year. Unfortunately, the Bill lapsed when Parliament was prorogued before it had reached its final stage in the Legislative Council.

With the subsequent change of Government, it is necessary for the Bill to be reintroduced into the House of Assembly for passage through Parliament once more.

This Government is eager to provide an opportunity for the safe and legal use of Power Assisted Pedal Cycles on Tasmanian roads.

Madam Speaker, this Bill will provide those opportunities in the near future.

In May 2012, the Commonwealth Government agreed to recognise the United Nations Economic Commission for Europe's EN15194 Standard as an equivalent Australian Design Rule for Power Assisted Pedal Cycles.

Madam Speaker, Power Assisted Pedal Cycles are particularly valued by people who benefit from some power assistance for components of their journey (for example, because they live in a hillier area or have a disability) but are otherwise capable of cycling.

The acceptance of this new Standard for Power Assisted Pedal Cycles will allow for the importation and manufacture of a safer, more efficient Power Assisted Pedal Cycle.

Currently, Madam Speaker, only Power Assisted Pedal Cycles that have a maximum 200 watt output are considered to be a 'bicycle' for the purposes of the *Road Rules 2009*. These are permitted to be used in the same manner as other bicycles on the State's road network, subject to those Road Rules.

A Power Assisted Pedal Cycle which produces in excess of 200 watts, independent of the input provided by the cyclist's pedaling motion, is currently deemed to be a 'motor vehicle' for the purposes of the *Vehicle and Traffic Act 1999* and is subject to the relevant prescribed matters of the *Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010* such as driver licensing, vehicle registration and the Road Rules.

The new Standard allows a Power Assisted Pedal Cycle to have auxiliary power producing a maximum of 250 watts triggered by the cyclist's pedaling motion. The auxiliary power ceases at a speed of 25 km/h, requiring the rider to continue pedaling to maintain motion. This type of vehicle is commonly known as a 'Pedelec'.

However, the existing definition of 'motor vehicle' in the Vehicle and Traffic Act prohibits Pedelects (which meet the new Standard of 250 watts) from being used as bicycles in Tasmania.

Madam Speaker, the Bill amends the Act to exclude such Pedelects from being classified as a 'motor vehicle', which in turn will exempt them from certain matters prescribed by the *Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations*, including the requirement to be registered and for riders to be appropriately licensed, as well as payment of the associated fees.

A consequential amendment to the Road Rules recognising EN15194-compliant Power Assisted Pedal Cycles as 'bicycles' will form part of the 10th Road Rules Amendment Package put forward by the National Transport Commission. This is expected to occur in August 2014 which will legalise the use of these Power Assisted Pedal Cycles as 'bicycles' on Tasmanian roads.

Madam Speaker, it is important to note that while the adoption of this new Standard has provided a more powerful alternative to current electric bicycles, there has been a corresponding strengthening of safety requirements.

Specifically, Power Assisted Pedal Cycles compliant with the new Standard will be fitted with a compliance plate, certifying among other things that they are capable of travelling no more than 25 km/h when the auxiliary motor is activated and are capable of producing no more than 250 watts of continuous power by an auxiliary motor.

In addition, riders of Power Assisted Pedal Cycles will have to comply with the Road Rules that are applicable to other vehicle types, such as cars and motor cycles. Riders will also be required to wear an approved helmet and ensure their bicycles are fitted with the appropriate safety equipment, as per the Road Rules 2009. These being at least one functioning brake, a noise making device such as a bell or horn, and having the appropriate lights and reflectors if the rider intends to utilise the bicycle at night.

Madam Speaker, I commend this Bill to the House.