

SECOND READING SPEECH

THE HON DAVID O'BYRNE, MP

VEHICLE AND TRAFFIC AMENDMENT (POWER ASSISTED PEDAL CYCLES) BILL 2013

Mr Speaker,

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

Mr Speaker, this Bill makes a minor and uncontroversial amendment to the Vehicle and Traffic Act 1999 to allow the use of safer and more efficient electric bicycles in Tasmania.

In May 2012, the Australian Government, with the support of all states and territories, agreed to recognise the United Nations Economic Commission for Europe's EN15194 Standard as an equivalent Australian Design Rule for Power Assisted Pedal Cycles.

Mr 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, Mr 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* and are permitted to be used in the same manner as other bicycles on the State's road network, subject to those 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 Pedelecs (which meet the new Standard of 250 watts) from being used as bicycles in Tasmania.

Mr Speaker, the Bill amends the Act to exclude such Pedelecs 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 2010, 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 Amendment Package put forward by the National Transport Commission to clarify existing rules and to create consistency with the Australian Road Rules.

Mr 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 capable of travelling no more than 25 km/h when the auxiliary motor is activated they 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 all vehicle types ,as well as additional road rules specifically relating to bicycle riders. Riders will be required to wear an approved helmet and ensure their bicycles are fitted with at least one functioning brake, a noise making device such as a bell or horn, and have the appropriate lights and reflectors if the rider intends to utilise the bicycle at night.

Mr Speaker, the Bill before the House today complements the sustainable transport and road safety objectives of the Tasmanian Walking and Cycling for Active Transport Strategy and the Australian National Cycling Strategy 2011-2016, both of which aim to increase participation in cycling and improve safety for cyclists.

Mr Speaker, I commend this Bill to the House.