

An ECF position on the market introduction of L category power assisted cycles (including Speed Pedelecs)

European Cyclists' Federation

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ECF gratefully acknowledges financial support from the European Commission.

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Introduction

ECF recognises the introduction of the new EU type approval legislation for two- or three-wheel vehicles and quadricycles which also includes the regulation of pedal assisted vehicles¹ which will come into force in 2017. In the following categories we see this as a possible useful approach for manufacturers to manage the distinctiveness of these vehicles from unpowered cycles, pedelecs and mopeds.

- Powered Cycle - L1e-A (Which incorporates higher powered cargo and logistics cycles)
- Two Wheeled Moped - L1e-B (Incorporating so-called speed pedelecs)

ECF believes that in policy terms these vehicles should be considered as a new vehicle type that can complement the role of cycles (including lower powered pedelecs) in

- Substituting private and commercial motorised traffic on trips longer or hillier than those normally taken by cycle.
- Substituting private and commercial motorised traffic on local trips where loads are heavier than can be moved solely by human power

ECF position on e-cargo bikes

ECF accepts that type approval for L1e-A Powered Cycles for urban logistics may be a useful short term step in regulation of vehicles that carry substantially higher loads than other cargo bikes. This requires additional power compared to non-type approved pedelecs, but not additional speed. ECF fully supports the introduction of cycle logistics as an approach to urban freight delivery. We are not convinced that in the long term type approval is necessary for this category of vehicles due

¹ <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32013R0168>

to their low speeds. In the long term we expect the need for type approval to be monitored to make sure it does not restrict the use of these vehicles throughout the EU as a replacement for goods freight movements that cause avoidable risk to cyclists and walkers plus emissions, congestion and noise.

ECF position on throttle only e-bikes

ECF is concerned about the inclusion of the throttle only 'Twist and go' in category L1e-A. We believe this a mistake and recommends that in future reviews of Type Approval that they be removed to another category away from *pedal assisted* cycles.

ECF position on speed pedelecs

In relation to category L1e-B (Speed Pedelecs) ECF believes:

There are significant benefits to the new category which are complementary to the aims of ECF and its members. However there are some predictable risks with the entry into the market of the new vehicle category and some topics where evidence of the impact of the new vehicles is yet to be provided. Therefore the precautionary principle should be applied to the new category to minimise the likelihood and impact of such risks.

ECF proposes that a balanced package of actions, regulations and policies by governments at all levels should help achieve the benefits of the new vehicle without detracting from the policy, social and economic benefits of cycling or the health and wellbeing of cyclists (whether perceived or actual).

Based on current evidence these measures should include;

- Policy support for the benefits of the new class of vehicles as a replacement for passive motorized transport
- That the new vehicles are identified in policy, regulation and promotion as primarily for road use where they substitute cars and goods vehicles
- Support is given for the use of speed pedelecs with incentives and appropriate infrastructure and road conditions that encourages a switch from motorised transport to Speed Pedelecs for longer distance inter-urban commuting
- Maintain the new category as a distinct and identifiable new class of vehicle that can be distinguished from cycles at the point of purchase and use

Management of the introduction of the vehicles as a new class

- National Governments should not by default place speed pedelecs in the moped category. They should actively review the relevant use in their country with cyclists' associations and decide whether a separate category could be established for these vehicles specific needs. The aim of these policies should be to make speed pedelecs easier to obtain and use than a moped, but more difficult than cycles, to encourage replacement of powered vehicles,

not cycling

- If speed-pedelects are after review to be defined by national Governments as a 'moped' for use on the roads their riders should be exempt from mandatory moped helmet use, and should be allowed to either use bicycle helmets or specially designed speed pedelec helmets²
- There should be substantial and enforceable legal deterrents and supporting action by the bicycle industry and relevant government bodies for consumer protection to eliminate the sale of vehicles that can be modified/tampered or those sold as "off road use only" to circumvent the relevant regulations for use
- Each of the new categories of vehicles should be included in data collection, measurement and reporting; especially with regards to safety statistics
- Local governments and law enforcement agencies should receive training and education in the new classification and its regulation

Giving priority to cycling investments

- Measures to maintain or increase promotion and protection of cycling remain ECF's policy priority. Any resources for the promotion of the new vehicles should be additional to cycling budgets

Distinguishing speed pedelecs from cycles on infrastructure

- In urban areas³ speed pedelecs should use roads, not cycling or pedestrian infrastructure unless there is dedicated infrastructure that has been designed to accommodate speed pedelecs and where speed pedelec use would not impact on actual or perceived safety of cyclists and pedestrians
- Outside urban areas such vehicles should only use cycling infrastructure where the infrastructure reaches a recognised international design standard for vehicles of a higher speed than 25kmph
- As part of a package of measures to support the introduction of Speed Pedelecs local authorities should enable users to access centres of employment and business by road or designated high speed infrastructure without use of cycling or pedestrian facilities.
- That Speed Pedelec users and other cyclists who wish to use the road carriageway for cycling should have a legal right to do so, in particular to cater for those who cycle regularly at speeds in excess of 25kmph
- To ensure that cyclists and Speed Pedelec users have an expectation of safety when using the roads governments should adopt the measures recommended in the ECF Road Safety Charter

² Such as the Dutch Standards Institute (NEN) standard <https://www.nen.nl/NEN-Shop-2/Standard/NTA-87762016-en.htm>

³ higher density population areas where ECF and member policies promote cycling, walking and low speed limits for all vehicles