



Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Amendment 11

I, KEVIN HOGAN, Assistant Minister to the Deputy Prime Minister, determine this vehicle standard under section 7 of the *Motor Vehicle Standards Act 1989*.

Dated 11 January 2021

[Signed]

Kevin Hogan

Assistant Minister to the Deputy Prime Minister

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1. LEGISLATIVE PROVISIONS

1.1. Name of Legislative Instrument

1.1.1. This instrument is the Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Amendment 11.

1.2. Commencement

1.2.1. This instrument commences on the day after it is registered.

2. AMENDMENT OF VEHICLE STANDARD

2.1. The changes specified in Schedule 1 amend the Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005.

SCHEDULE 1

- [1] Remove the following from clause 3. DEFINITIONS:
- “PEDALEC - A vehicle meeting European Committee for Standardization EN 15194:2009 or EN 15194:2009+A1:2011 Cycles - Electrically power assisted cycles - EPAC Bicycles.”
- [2] Add the following, in alphabetical order, to clause 3. DEFINITIONS:
- “ELECTRICALLY POWER-ASSISTED CYCLE (EPAC) - an electrically-powered pedal cycle with a maximum continued rated power of 250 watts, of which the output is:
- (a) progressively reduced as the cycle’s speed increases; and
 - (b) cut off, where:
 - (i) the cycle reaches a speed of 25 km/h; or
 - (ii) the cyclist stops pedalling.”
- [3] Add the following, in alphabetical order, to clause 3. DEFINITIONS:
- “POWER-ASSISTED PEDAL CYCLE - a vehicle, designed to be propelled through a mechanism primarily using human power, that:
- (a) meets the following criteria:
 - (i) is equipped with one or more auxiliary propulsion electric motors;
 - (ii) cannot be propelled exclusively by the motor or motors;
 - (iii) has a combined maximum power output not exceeding 200 watts;
 - (iv) has a ‘Tare Mass’ (including batteries) of less than 35 kg; and
 - (v) has a height-adjustable seat; or
 - (b) is an ‘Electrically Power-Assisted Cycle’;
- but does not include a vehicle that has an internal combustion engine.”
- [4] Delete clauses 4.2.1 and 4.2.2.
- [5] Clauses 4.2.3 to 4.2.8 renumber as clauses 4.2.1 to 4.2.6.
- [6] Clause 4.2.1 (new) amend to read:
- “4.2.1. MOPED - 2 Wheels (LA)
- A 2-wheeled motor vehicle, not being a ‘Power-Assisted Pedal Cycle’, with an engine cylinder capacity not exceeding 50 ml and a ‘Maximum Motor Cycle Speed’ not exceeding 50 km/h; or a 2-wheeled motor vehicle with a power source other than a piston engine and a ‘Maximum Motor Cycle Speed’ not exceeding 50 km/h.”
- [7] Clause 4.2.2 (new) amend to read:
- “4.2.2. MOPED - 3 Wheels (LB)
- A 3-wheeled motor vehicle, not being a ‘Power-Assisted Pedal Cycle’, with an engine cylinder capacity not exceeding 50 ml and a
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‘Maximum Motor Cycle Speed’ not exceeding 50 km/h; or a 3-wheeled motor vehicle with a power source other than a piston engine and a *‘Maximum Motor Cycle Speed’* not exceeding 50 km/h.”