

https://www.garda.ie/en/FAQs/?id=4853&fbclid=lv

the roads?

What is the legal status of electric/battery powered scooters?

The use of these types of scooters has become very popular in recent years, especially with children. The legal position is that if one of these scooters **can be powered by mechanical or electrical power alone, and does not require pedalling or scooting for propulsion, then the scooter is considered to be a mechanically propelled vehicle (MPV)** in terms of road traffic legislation, irrespective of engine capacity. If such scooters are to be used in any public place, they require insurance and road tax as with any other MPV. The driver would also require a driving licence and is obliged to wear a crash helmet. If the user of such a scooter cannot fulfil these legal requirements, then the scooter should only be used on private property.

General

Careers

Garda.ie

https://www.mhc.ie/latest/insights/public-regulato

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means that the usual legal requirements applicable to MPVs also apply to certain electric scooters. For example, the need to have a licence, tax and insurance, wear a helmet and ensure that the vehicle is registered and roadworthy.

The law

The RTA defines an MPV as including "a vehicle the means of propulsion of which is electrical". **The Garda Síochána (Irish police force) has clarified that, if an electric scooter requires pedalling or an initial manual scoot to take off, and the motor only kicks in once already in motion, it is not considered an MPV.**

However, if an electric scooter can be propelled from a stationary position by a motor alone, then it comes under the definition of MPV, irrespective of engine capacity. Users of such models in any public place must, therefore, ensure that the scooter is roadworthy, have a licence, tax and insurance, and wear a helmet. Also, with the exception of motorised wheelchairs, MPVs are not permitted in bike lanes or on foot

Mason Hayes and Curran – Law firm

2. Step on the deck with one foot, and slowly kicks off the other on the ground

3. When the scooter starts to coast, put both feet on the deck and press the accelerator (the accelerator initiates once the coasting speed exceeds 3.1 mph)

Xiaomi m365 – User manual

FAQs on E-Bikes, Pedelects or Battery Scooters

What is an electric bicycle? An electric bicycle, also known as an e-bike or booster bike, is a bicycle with an electric motor. There are many types of e-bikes, from e-bikes that only have a small motor to assist the rider's pedal-power (pedelecs) to more powerful e-bikes which don't need to be pedalled at all (power on demand), unless the rider wishes.

What is an electric / battery powered scooter? An electric scooter is a small platform with two or more wheels that is propelled by an electric motor. Besides the motor, the rider can also propel the electric scooter forward by pushing off the ground.

What is the law on e-bikes / pedelecs / battery powered scooters? Regardless of the type of bike, the rule is as follows: **If it can be powered by mechanical or electrical power alone (i.e. it can go without you pedalling or scooting it) then it is considered to be a mechanically propelled vehicle (MPV).** Under Road Traffic Law, if an MPV is used in a public place it is subject to all of the regulatory controls that apply to other vehicles. Therefore, it must be roadworthy, registered, taxed and insured. The driver of the vehicle must hold the appropriate driving licence and is obliged to wear a crash helmet.

What is the definition of 'mechanically propelled vehicle'? The Road Traffic Act 1961 at Section 3(1) (a) and (b), defines a mechanically propelled vehicle as: "a vehicle intended or adapted for propulsion by mechanical means, including:

- (a) a bicycle or tricycle with an attachment for propelling it by mechanical power, whether or not the attachment is being used,
- (b) a vehicle the means of propulsion of which is electrical or partly electrical and partly mechanical, but not including a tramcar or other vehicle r

Road Safety Authority – Information Notes



Jodie scoots off without ban in drink drive case

Mary Cody



• Email

A MAN caught drink driving his scooter made legal history after his case was dismissed because his vehicle was only "mechanically assisted".

Jodie O'Dwyer (43), of Larchfield in Kilkenny city, was stopped by gardai for "weaving" on his "pedal" scooter while under the influence of alcohol and charged with drink driving in the city at Hawthorn Avenue, Loughboy, on July 5, 2010.

However, Judge William Harnett threw out the case at Kilkenny District Court earlier this week on the grounds that the scooter was a "mechanically assisted" and not "mechanically propelled" vehicle.

Defence solicitor Michael Lanigan said the case should be dismissed on the grounds that the vehicle in question was not covered under the legislation and that therefore no offence had been committed.

A garda witness told the court that at 4.48pm on the date he observed a man driving on a scooter on the Waterford Road.

Limit

The man, who was not wearing a helmet, was in the bicycle lane when he turned on to Nunico Road and then on to Hawthorn Avenue.

A garda, who was in an unmarked patrol car, told the court that Mr O'Dwyer was "leaning from side to side" on the bicycle.

"I activated the blue lights and sirens and when the defendant got off the bike I noticed that there was no registration number on it," he said.

When speaking to Mr O'Dwyer, the garda said his "eyes were glazed".

A breath sample later revealed Mr O'Dwyer was twice the legal limit -- with a reading of 73mgs over 100.

Judge Harnett said Mr O'Dwyer "should have being charged with a different offence in relation to a bicycle".

Speaking outside court, Mr O'Dwyer said: " Once you build up the speed by pedalling to 15 miles per hour it runs by itself on a battery until you brake.

"You don't need tax or insurance and you don't have to pay for petrol. It's a great way to get around."

Solicitor Michael Lanigan described how the case was a landmark ruling and he hadn't come across such a case before in the country.

Irish Independent

