



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

# **HIGHWAY TRAFFIC ACT POWER-ASSISTED BICYCLES REGULATIONS**

## PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site ([www.princeedwardisland.ca](http://www.princeedwardisland.ca)).

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## POWER-ASSISTED BICYCLES REGULATIONS

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## HIGHWAY TRAFFIC ACT

### CHAPTER H-5

## POWER-ASSISTED BICYCLES REGULATIONS

Pursuant to section 312 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

### PART 1- INTERPRETATION

#### 1. Definitions

(1) In these regulations,

- (a) “**Act**” means the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5;
- (b) “**Department**” means the Department of Transportation and Infrastructure;
- (c) “**Minister**” means the Minister of Transportation and Infrastructure;
- (d) “**power-assisted bicycle**” means a pedal-driven bicycle of conventional exposed fork-and-frame bicycle design and appearance that
  - (i) has steering handlebars,
  - (ii) has two or three wheels,
  - (iii) is fitted at all times with functional pedals that are operable to propel the bicycle,
  - (iv) is designed to be propelled solely by human power when it ceases being propelled by its electric motor,
  - (v) has one or more auxiliary electric motors that have, singly or in combination, the following characteristics:
    - (A) a total continuous power output rating, measured at the shaft of each motor, of 500 watts or less,
    - (B) if power assistance is engaged by the use of muscular power, power assistance immediately ceases when the muscular power ceases,
    - (C) if power assistance is engaged by the use of an accelerator controller, power assistance immediately ceases when the brakes are applied,
    - (D) power assistance ceases when the bicycle attains a speed of 32 kilometres per hour on level ground,

- (vi) bears a label that is permanently affixed by the manufacturer and appears in a conspicuous location stating, in both official languages, that the device is a power-assisted bicycle, and
- (vii) has either
  - (A) an enabling mechanism to turn the electric motor on and off that is separate from the accelerator controller and fitted in a manner that makes it operable by the operator, or
  - (B) a mechanism that prevents the motor from being engaged before the bicycle attains a speed of three kilometres per hour;
- (e) “**public park**” means a provincial park or land designated by a municipality for use as a park;
- (f) “**trail**” means the trail designated as the Confederation Trail pursuant to subsection 4(1) of the *Trails Act* R.S.P.E.I. 1988, Cap. T-4.1, and includes any other trail designated under subsection 4(2) of that Act.

**Power-assisted bicycle not a motor vehicle**

- (2) A power-assisted bicycle is deemed not to be a motor vehicle under the Act.

**Municipal bylaw**

- (3) Despite subsection (2), any municipal bylaw that governs or prohibits the operation of a motorized vehicle applies to a power-assisted bicycle unless the bylaw provides otherwise.

**Application of Act**

- (4) Despite the definitions of “bicycle” and “moped” or “motor-assisted pedal bicycle” in section 1 of the Act, the Act applies to a power-assisted bicycle and to the operation of a power-assisted bicycle as if it were a bicycle and not a moped, motor-assisted pedal bicycle or motor vehicle, subject to these regulations. (EC557/21)

## PART 2 – WHERE POWER-ASSISTED BICYCLES PERMITTED

### 2. Operation on highway

No person shall operate a power-assisted bicycle on a highway, trail or in a public park unless

- (a) the bicycle’s operation is permitted by and is in accordance with these regulations; and
- (b) where the highway, trail or public park is under the jurisdiction of a municipality, the bicycle’s operation is permitted by and is in accordance with an applicable municipal bylaw. (EC557/21)

### 3. Operation on roadway or shoulder

- (1) Subject to subsection (2), a person may operate a power-assisted bicycle on a roadway or on the shoulder of a highway.

**Where prohibited**

- (2) A power-assisted bicycle shall not be operated on any highway to which access by pedestrians or bicycles is prohibited under any Act, regulation or municipal bylaw. (EC557/21)

**4. Bicycle lanes**

- (1) Where bicycle lanes are provided on a highway, a power-assisted bicycle shall be operated only in the bicycle lanes.

**Shoulder or edge of roadway**

- (2) Where bicycle lanes are not provided on a highway or where the operation of power-assisted bicycles in bicycle lanes is prohibited by a municipal bylaw, a power-assisted bicycle shall be operated only
- (a) where there is a shoulder on the highway, on the shoulder as close to the right edge of the shoulder as possible; or
  - (b) where there is no shoulder on the highway, on the right side of the roadway as close to the edge of the roadway as possible. (EC557/21)

**5. Prohibition**

For greater certainty, no person shall operate a power-assisted bicycle

- (a) on a sidewalk or walkway; or
- (b) on a trail unless the person is operating the power-assisted bicycle during the period beginning April 1 in a year and ending November 30 in the year pursuant to clause 3(b.1) of the *Trails Act* General Regulations (EC760/03). (EC557/21)

**PART 3 - EQUIPMENT****6. Maximum weight**

The unladen weight of a power-assisted bicycle shall not exceed 120 kilograms. (EC557/21)

**7. Wheel diameter**

The diameter of the wheels of a power-assisted bicycle shall not be less than 406.4 millimetres. (EC557/21)

**8. Battery and motor**

- (1) The battery and motor of a power-assisted bicycle shall be securely fastened to the power-assisted bicycle to prevent them from moving while the power-assisted bicycle is in motion.

**Motor**

- (2) The motor of a power-assisted bicycle shall
- (a) be electric;
  - (b) have continuous power output ratings that in total do not exceed 500 watts; and
  - (c) not be capable of propelling the power-assisted bicycle at a speed greater than 32 kilometres per hour on level ground.

**Mechanism separate from accelerator**

- (3) A power-assisted bicycle shall be equipped with a mechanism, separate from the accelerator controller, that
- (a) allows the operator to turn the motor on and off from a normal seated position while operating the power-assisted bicycle; or

- (b) prevents the motor from turning on or engaging before the power-assisted bicycle attains a speed of three kilometres per hour.

**Motor shut-off requirement**

- (4) The motor of a power-assisted bicycle shall turn off or disengage where
  - (a) the operator of the power-assisted bicycle stops pedalling;
  - (b) an accelerator controller is released; or
  - (c) the brakes are applied. (EC557/21)

**9. Combustion engine power prohibited**

A power-assisted bicycle shall not be equipped with a generator, alternator or similar device powered by a combustion engine. (EC557/21)

**10. Electric terminals**

All electric terminals on a power-assisted bicycle shall be completely insulated and covered. (EC557/21)

**11. Lamps, reflectors, brakes, horn**

- (1) A power-assisted bicycle shall be equipped with
  - (a) a mounted integral head lamp and tail lamp;
  - (b) reflex reflectors;
  - (c) brakes on all wheels or on each axle; and
  - (d) a bell or horn.

**Braking system**

- (2) The braking system of a power-assisted bicycle shall be capable of bringing the power-assisted bicycle, while being operated at a speed of 30 kilometres per hour on a clean, paved and level surface, to a full stop within nine metres from the point at which the brakes are applied. (EC557/21)

## PART 4 - SAFE OPERATION

**12. Safe distance**

- (1) Every operator of a power-assisted bicycle shall at all times keep a safe distance from pedestrians and other users of a highway, trail, sidewalk, walkway or public park and shall give way to a pedestrian or bicycle by slowing or stopping, as necessary, where there is insufficient space for the pedestrian or bicycle and the power-assisted bicycle to pass.

**Comparable speed**

- (2) A power-assisted bicycle shall not be operated on a highway, trail or in a public park at a speed that is markedly greater than the speed of any pedestrians who are proximate to the power-assisted bicycle.



**Bell, horn**

- (3) Every operator of a power-assisted bicycle shall sound the bell or horn on the power-assisted bicycle whenever it is reasonably necessary to notify cyclists, pedestrians or others of its approach.

**Lighted lamps at front, rear**

- (4) Every operator of a power-assisted bicycle shall, when operating the power-assisted bicycle at any time from one-half hour before sunset to one-half hour after sunrise and at any other time where, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly visible at a distance of 150 metres or less, ensure the power-assisted bicycle has a lighted lamp at the front displaying a white or amber light, and at the rear either a lighted lamp displaying a red light or a reflector.

**Safe operation**

- (5) A power-assisted bicycle shall not be operated in a manner that may harm, injure or damage, either directly or indirectly, any person or property. (EC557/21)

**PART 5 - GENERAL RULES - OPERATION****13. Rights and duties**

- (1) Every person who operates a power-assisted bicycle shall obey the same road rules as bicyclists, subject to this Part.

**Minimum age of operator**

- (2) No person under the age of 16 years shall operate a power-assisted bicycle.

**Obligation of owner**

- (3) The owner of a power-assisted bicycle shall not authorize or knowingly permit a person under the age of 16 years to operate the power-assisted bicycle.

**Where driver's license suspended**

- (4) No person shall operate a power-assisted bicycle as if it were a bicycle where the driver's license of the person is suspended or cancelled under the Act or the person is otherwise disqualified or prohibited from operating a motor vehicle or obtaining a driver's license under the Act.

**Passenger**

- (5) No person operating a power-assisted bicycle shall carry any other person on the power-assisted bicycle unless the bicycle is manufactured to carry a passenger.

**Bicycle manufacture - passenger**

- (5.1) Where a power-assisted bicycle is manufactured to carry a passenger and the operator of the power-assisted bicycle is carrying a passenger who is a child, the operator shall ensure that
- (a) the child shall
    - (i) be six years of age or under,
    - (ii) ride on a seat designed to carry children on bicycles or power-assisted bicycles, and
    - (iii) wear a properly fitted and fastened bicycle safety helmet;
  - (b) the seat designed to carry children shall

- (i) be an approved child bicycle seat that attaches to a bicycle or power-assisted bicycle,
- (ii) be firmly attached to the power-assisted bicycle behind the operator's seat, as far forward and in as low a position as is practicable, and
- (iii) be equipped with
  - (A) a seat belt which is fastened around the child at all times when the power-assisted bicycle is in motion, and
  - (B) a shield to prevent any part of the child's body or clothing from coming into contact with any of the power-assisted bicycle's moving parts.

**Prohibition against towing**

- (6) No person operating a power-assisted bicycle shall tow another person, vehicle or device.

**Exception - towing**

- (6.1) Despite subsection (6), the operator of a power-assisted bicycle may tow
- (a) a bicycle trailer designed for transporting passengers, including passengers who are children;
  - (b) a cargo trailer designed to be hauled by a power-assisted bicycle; or
  - (c) an electric motorized cargo trailer that, in combination with the electric motor of a power-assisted bicycle, has a total continuous power output rating of 500 watts or less.

**Safety helmet**

- (6.2) The operator of a power-assisted bicycle shall ensure a passenger being transported in a bicycle trailer pursuant to clause (6.1)(a) is wearing a properly fitted and fastened bicycle safety helmet.

**Prohibition against attaching to another device**

- (7) No person operating a power-assisted bicycle shall attach the power-assisted bicycle to another bicycle, vehicle or device for the purpose of being drawn or towed.

**Safety helmet**

- (8) No person shall ride on or operate a power-assisted bicycle unless the person is wearing a properly fitted and fastened bicycle safety helmet.

**Approved for use by CSA**

- (9) The bicycle safety helmet referred to in subclause (5.1)(a)(iii) and subsections (6.2) and (8) shall meet the standards for bicycle safety helmets as specified in the *Highway Traffic Act* Bicycle Safety Helmet Regulations (EC329/03).

**Prohibition against operation in same lane**

- (10) No person shall operate a power-assisted bicycle on a highway beside a moped, bicycle or another power-assisted bicycle that is operating in the same traffic lane.

**Exemption**

- (11) Subsection (10) does not apply where the person is
- (a) travelling in the near vicinity of and in the same direction as a moped, bicycle or another power-assisted bicycle and the person is operating the power-assisted bicycle in single file in relation to the moped, bicycle or other power-assisted bicycle;

- (b) making or attempting to make a turn on a highway; or
- (c) overtaking or passing a moped, bicycle or another power-assisted bicycle. *(EC557/21; 750/23)*

**14. Prohibition against modification after manufacture**

No person shall operate a power-assisted bicycle where the bicycle has been modified after its manufacture in any way that may result in

- (a) increasing its power or its maximum speed beyond the limits set out in paragraph 1(1)(d)(v)(D); or
- (b) its being propelled by any form of non-muscular propulsion other than its electric motor. *(EC557/21)*

**15. Good working order**

- (1) No person shall operate a power-assisted bicycle unless it is in good working order.

**Components good working order**

- (2) The owner or operator of a power-assisted bicycle shall ensure the bicycle and all of its components are maintained in good working order at all times. *(EC557/21)*

**16. Duty to stop**

Every operator of a power-assisted bicycle shall stop when required to do so by a peace officer and shall, on the demand of the peace officer,

- (a) surrender the operator's driver's license, if the license is in the operator's possession, for reasonable inspection by the officer; or
- (b) provide the officer with the operator's correct name, address and date of birth. *(EC557/21)*

**17. Duty to report accident**

- (1) Where a power-assisted bicycle is involved in an accident with a pedestrian, animal or vehicle that results in personal injury or property damage, or both, the operator of the power-assisted bicycle shall report the accident to a peace officer without delay and furnish the officer with the information concerning the accident as may be required under subsection (2).

**Written report**

- (2) A peace officer receiving the report of an accident under subsection (1) shall secure from the person making the report, or by other inquiries where necessary, the particulars of the accident, the persons involved, the extent of the personal injuries or property damage, if any, and any other information that may be necessary to complete a written report concerning the accident. *(EC557/21)*

**Written report to Registrar**

- (3) The written report of a peace officer referred to in subsection (2) shall be
  - (a) provided to the Registrar by the peace officer within 10 days of the accident being reported to the officer; and
  - (b) in a form approved by the Minister. *(EC557/21)*

## **PART 6 - OFFENCE AND PENALTY**

### **18. Offence and penalty**

Every person who contravenes any provision of these regulations is guilty of an offence and liable on summary conviction to a fine of not less than \$200 and not more than \$2,000.  
(EC557/21)