



Jersey

PEDAL CYCLES (AMENDMENT No. 2) (JERSEY) ORDER 2014

Arrangement

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PEDAL CYCLES (AMENDMENT No. 2) (JERSEY) ORDER 2014

Made

Coming into force

THE MINISTER FOR TRANSPORT AND TECHNICAL SERVICES, in pursuance of Articles 3, 45A, 80 and 84 of the Road Traffic (Jersey) Law 1956, orders as follows –

1 Interpretation

In this Order “principal Order” means the Pedal Cycles (Jersey) Order 1998.

2 Amendment of enacting provision

In the enacting provision of the principal Order, for the words “Articles 3, 80 and 84” there are substituted the words “Articles 3, 45A, 80 and 84”.

3 Insertion of Article 6A

After Article 6 of the principal Order, there is inserted the following Article –

“6A Bicycle helmets for children

- (1) Paragraph (2) applies to a child of 13 years or younger who, on a road or cycle track, drives or rides on –
 - (a) a pedal cycle; or
 - (b) a trailer drawn by a pedal cycle.
- (2) The child must wear a protective helmet that –
 - (a) is securely fastened to the child’s head;
 - (b) complies with a standard as set out in the Schedule;
 - (c) conforms in size, adjustment and positioning to the requirements set out in the Schedule in relation to that standard and that child; and

- (d) was manufactured no more than 10 years before the date on which it is used.
- (3) Paragraph (2) does not apply to –
- (a) a child who drives or rides on a sea beach;
 - (b) a child who rides on a pedal cycle that is controlled by an adult pedestrian, when that pedal cycle is on –
 - (i) a cycle track,
 - (ii) a road specified in Schedule 3 to the Road Traffic (Speed Limits) (Jersey) Order 2003, or
 - (iii) in relation to a road not so specified, a part of the road other than its carriageway;
 - (c) a child who, in the circumstances set out in paragraph (4), rides on a trailer;
 - (d) a child who, on a cycle track, drives or rides on a pedal cycle having 4 or more wheels; or
 - (e) a child who, being a follower of the Sikh religion, is wearing a turban.
- (4) The circumstances referred to in paragraph (3)(c) are that –
- (a) the trailer is attached by a hinge to a pedal cycle;
 - (b) the trailer has at least 2 wheels in parallel;
 - (c) the trailer conforms to one of the standards described in paragraph (5), being the version (whether by way of variation, supplement, re-issue or otherwise) of that standard that had effect at the date on which the trailer was manufactured;
 - (d) the child is restrained by a safety belt in accordance with the manufacturer’s instruction provided under that standard; and
 - (e) the child is no taller than the maximum height marked on the trailer under that standard.
- (5) The standards referred to in paragraph (4)(c) are –
- (a) British Standard BS EN 15918 of the British Standards Institution; and
 - (b) any other standard that is the national implementation, by the standards organization of a country that is a member of the European Committee for Standardization (Comité Européen de Normalisation), of European Standard EN 15918.”.

4 Amendment of Article 7

In Article 7 of the principal Order –

- (a) for the words “Article 3(1) or Article 4(2), (3) or (4) are satisfied, test and inspect a pedal cycle” there are substituted the words “Article 3(1), 4(2), 4(3), 4(4), 6A(2) or 6A(4) or the Schedule are satisfied, test and inspect a pedal cycle, protective helmet or trailer”;

(b) in paragraph (b), for the word “cycle”, at both points where it occurs, there are substituted the words “cycle, helmet or trailer”.

5 Amendment of Article 8

In Article 8 of the principal Order, after the words “any provision of this Order” there are inserted the words “, other than Article 6A,”.

6 Addition of Schedule

At the end of the principal Order, there is added the Schedule contained in the Schedule to this Order.

7 Citation and commencement

This Order may be cited as the Pedal Cycles (Amendment No. 2) (Jersey) Order 2014 and comes into force on 6th October 2014.

Signed.....

Date.....

Minister for Transport and Technical Services

SCHEDULE

(Article 6)

SCHEDULE ADDED TO PRINCIPAL ORDER**“SCHEDULE**

(Article 6A)

STANDARDS FOR HELMETS**1 Compliance of helmet with standard**

A protective helmet complies with a standard if –

- (a) it conforms to one of the European standards specified in paragraph 3 or the non-European standards specified in paragraph 4, being in either case the version (whether by way of variation, supplement, re-issue or otherwise) of that standard that had effect at the date on which it was manufactured; and
- (b) in the case of a non-European standard, it is marked with the number or other identifier of the standard to which it conforms and the name or certification mark of the body setting the standard (whether or not they are required to be so marked by that standard).

2 Requirements as to size and wearing of helmet

The requirements referred to in Article 6A(2)(c) are –

- (a) in the case of a European standard, that –
 - (i) the circumference of the child’s head matches the helmet’s size, or is within the helmet’s size range, being the size or range that is marked on the helmet under that standard, and
 - (ii) the helmet is adjusted and positioned in accordance with the information supplied by the manufacturer under that standard;
- (b) in the case of a non-European standard, that the size, adjustment and positioning of the helmet conform to any requirements or descriptions that are applicable to that helmet and that child and are contained –
 - (i) in that standard,
 - (ii) in any marking on the helmet made under that standard, or
 - (iii) in any information supplied by the manufacturer or any other person under that standard.

3 The European standards

The European standards are –

- (a) British Standard BS EN 1078 (Helmets for pedal cyclists and for users of skateboards and roller skates) of the British Standards Institution;
- (b) British Standard BS EN 1080 (Impact protection helmets for young children) of the British Standards Institution;
- (c) any other standard that is the national implementation, by the standards organization of a country that is a member of the European Committee for Standardization (Comité Européen de Normalisation), of European Standard EN 1078 or European Standard EN 1080.

4 The non-European standards

The non-European standards are –

- (a) the standards in Part 1203 (Safety Standard for Bicycle Helmets) of Title 16 of the Code of United States Federal Regulations;
- (b) Canadian Standards Association Standard CAN/CSA D113.2-M89 (Cycling Helmets).”.

