



## **Motor Vehicle Standards (Road Vehicles) Amendment Determination (No. 1) 2021**

---

I, Kevin Hogan, Assistant Minister to the Deputy Prime Minister, make the following determination.

Dated 11 January 2021

[Signed]

Kevin Hogan  
Assistant Minister to the Deputy Prime Minister



---

# Contents

|   |          |
|---|----------|
| 1 Name .....  | 1        |
| 2 Commencement .....  | 1        |
| 3 Authority .....   | 1        |
| 4 Schedules .....   | 1        |
| <b>Schedule 1—Amendments</b>                                      | <b>2</b> |
| <i>Motor Vehicle Standards (Road Vehicles) Determination 2017</i> | 2        |



---

## **1 Name**

This instrument is the *Motor Vehicle Standards (Road Vehicles) Amendment Determination (No. 1) 2021*.

## **2 Commencement**

This instrument commences on the day after it is registered.

## **3 Authority**

This instrument is made under section 5B of the *Motor Vehicle Standards Act 1989*.

## **4 Schedules**

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Motor Vehicle Standards (Road Vehicles) Determination 2017*

#### 1 Subsection 5(1)

Omit:

(1) In this Determination:

Substitute:

In this instrument:

#### 2 Subsection 5(1)

Insert:

*electrically power-assisted cycle* means 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.

*motorised mobility device* means a wheeled chair that:

- (a) is designed to be used by one person only; and
- (b) is designed to assist a person who is unable to walk, or has difficulty walking; and
- (c) is propelled by an electric motor; and
- (d) has a steering control; and
- (e) has a maximum governed speed of 10 km/h; and
- (f) has a minimum of three wheels.

#### 3 Subsection 5(1) (definitions of *motorised scooter* and *motorised wheelchair*)

Repeal the definitions.

#### 4 Subsection 5(1)

Insert:

*personal mobility device* means a device that:

- (a) is designed to carry one person only; and
- (b) has one or more wheels; and
- (c) is propelled by an electric motor; and
- (d) has an effective stopping system, including one or more of the following:
  - (i) brakes;
  - (ii) gears;
  - (iii) motor control; and
- (e) is not capable of exceeding 25 km/h on level ground when propelled by motor; and
- (f) has a footprint of no more than 1250 mm by 700 mm; and

- 
- (g) is not more than 1350 mm in height; and
  - (h) has an unladen mass of 60 kg or less; and
  - (i) is not equipped with:
    - (i) any object or fitting not technically essential to the device that protrudes from any part of the device in a manner that likely increases the risk of bodily injury to any person; or
    - (ii) any object or fitting that, because it is pointed or has a sharp edge, likely increases the risk of bodily injury to any person.

### **5 Subsection 5(1) (definition of *power-assisted pedal cycle*)**

Repeal the definition, substitute:

*power-assisted pedal cycle* means 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;
  - (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.

### **6 Subsection 5(1)**

Insert:

*tare mass* has the meaning given by *Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005*, as in force from time to time.

### **7 Subsection 5(1) (definition of *wheelchair*)**

Repeal the definition.

### **8 Section 6**

Repeal the section, substitute:

### **6 Classes of vehicles that are not road vehicles**

Vehicles of the following classes are not road vehicles for the purposes of the Act:

- (a) agricultural machines;
- (b) golf carts;
- (c) light utility vehicles;
- (d) miniature motorbikes;
- (e) motorised mobility devices;
- (f) motorised recreational devices;
- (g) personal mobility devices;
- (h) power-assisted pedal cycles;
- (i) quad bikes;
- (j) tracked vehicles.