



Template aimed at making an inventory of rules & regulations governing electric bicycles with a view to include these rules & regulations in the training plan

Introductory remarks:

This template lists all rules and laws applicable to electric bicycles and to the activity of selling electric bicycles in the European Union. It concerns:

- 1. Specific technical and administrative rules and regulations
- 2. Liability and guarantees
- 3. Access to trade
- 4. Trade practices
- 5. Employment conditions

If the basis of a rule is European legislation, member states sometimes have some margin to apply certain provisions. This template has all details for Belgium among other things to show how Belgium has used that margin, for instance in the case of consumer guarantees. The transposition details are aimed at helping you to find these details for your country.

There are also some rules without a European basis, in Belgium for instance, that is the technical requirements for cycles and their trailers included in the traffic code.

In the last column, we have indicated which particular knowledge about each law/rule needs to be included in the training.

All European legal texts are available in any of the European languages. In any link to a text on eur-lex, replace "EN" (before "PDF) by the abbreviation of your language.

1. Specific technical and administrative rules and regulations

Legal Reference and Title	Content Summary	Transposition details	Knowledge to be included in the training
Directive 2002/24/EC relating to the type-approval of two or three-wheel motor vehicles and repealing Council Directive 92/61/EEC ^{1 2}	Article 1(h): This Directive does not apply to "cycles with pedal assistance which are equipped with an auxiliary electric motor having a maximum continuous rated power of 0.25 kW, of which the output is progressively reduced and finally cut off as the vehicle reaches a speed of 25 km/h, or sooner, if the cyclist stops pedalling."	Transposition deadline for member states: 9 May 2003 Belgian transposition: 9 May 2002 - Koninklijk besluit houdende uitvoering van de richtlijnen van de Europese Gemeenschappen betreffende de goedkeuring van twee- of driewielige motorvoertuigen, hun onderdelen en technische eenheden alsook hun veiligheidstoebehoren. ³	 Types of electric bicycles included and excluded from the type-approval How to recognise an electric bicycle that complies with type-approval: markings + administrative obligations Legal obligations resulting from the type-approval relevant to dealers
Directive 2006/42/EC of 17 May 2006 on machinery, and amending Directive 95/16/EC ⁴ As a result of article 2(e), the Machinery Directive does apply to "cycles with pedal assistance which are equipped with an auxiliary electric motor having a maximum continuous rated power of 0.25 kW, of which the output is progressively reduced and finally cut off as the vehicle reaches a speed of 25 km/h, or sooner, if the		Transposition deadline for member states: 29 June 2008. Belgian transposition: 12 August 2008 Koninklijk besluit betreffende het op de markt brengen van machines ⁵	 Type of electric bicycles subject to this Directive How to recognise an electric bicycle that complies with the Machinery Directive: markings + administrative obligations

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¹ http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2002:124:0001:0044:EN:PDF

² Under review

³ http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=1996080405&table_name=wet

⁴ Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC

⁵http://www.ejustice.just.fgov.be/cgi_loi/loi_a.pl?language=nl&caller=list&cn=2008081266&la=n&fromtab=wet&sql=dt='koninklijk%20besluit'&tri=dd+as+rank&rech=1&numero=1

Directive 2004/108/EC of 15 December 2004 on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC ⁶	cyclist stops pedalling." The Machinery Directive lists safety requirements for machinery as well as the administrative obligations involved in complying with the Directive The EMC Directive does apply to "cycles with pedal assistance which are equipped with an auxiliary electric motor having a maximum continuous rated power of 0.25 kW, of which the output is progressively reduced and finally cut off as the vehicle reaches a speed of 25 km/h, or sooner, if the cyclist stops pedalling." The Directive specifies legally-binding protection requirements as well as administrative requirements.	Transposition deadline for member states: 20 January 2007. Belgian transposition: 28 February 2007 - Koninklijk besluit betreffende de elektromagnetische compatibiliteit. ⁷	- Type of electric bicycles subject to this Directive - How to recognise an electric bicycle that complies with the EMC Directive: markings + administrative obligations
Directive 2006/66/EC of 6 September 2006 on batteries and accumulators	This Directive applies to all types of batteries and accumulators, regardless	Transposition deadline for member states: 26 September 2008	- Legal obligations and markings resulting from this
and waste batteries and accumulators	of their shape, volume, weight,	states. 20 September 2000	Directive relevant to dealers
and repealing Directive 91/157/EEC ⁸	material composition or use.	Belgian transposition:	- Knowledge of the definition
		27 March 2009 - Koninklijk besluit	of "producer" in this
	Producers have to take the necessary	inzake het op de markt brengen en de	Directive
	measures to collect and recycle	informatie voor de eindgebruikers van	
	batteries from electric bicycles either	batterijen en accu's, en tot opheffing	
ı	individually or through a collective	van het koninklijk besluit van 17 maart	

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⁶ http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:390:0024:0037:en:PDF

⁷http://www.ejustice.just.fgov.be/cgi_loi/loi_a.pl?language=nl&caller=list&cn=2007022833&la=n&fromtab=wet&sql=dt='koninklijk%20besluit'&tri=dd+as+rank&rech=1&numero=1

⁸ Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC

	scheme. They also have to sign up at the specific register of any member state in which they place batteries on the market.	1997 inzake batterijen en accu's die gevaarlijke stoffen bevatten. ⁹	
Directive 2011/65/EU of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment ¹⁰	Following article 2.4.(f) this Directive applies to "cycles with pedal assistance which are equipped with an auxiliary electric motor having a maximum continuous rated power of 0.25 kW, of which the output is progressively reduced and finally cut off as the vehicle reaches a speed of 25 km/h, or sooner, if the cyclist stops pedalling." This Directive bans the use of lead, Mercury, cadmium, hexavalent chromium, polybrominated biphenyls (PBB) and polybrominated diphenyl ethers (PBD) in the above mentioned electric bicycles	Transposition deadline for member states: 3 January 2013. Belgian transposition:	 Type of electric bicycles subject to this Directive How to recognise an electric bicycle that complies with the EMC Directive: markings + administrative obligations
Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on Waste of Electrical and Electronic Equipment ¹¹	This Directive applies to "cycles with pedal assistance which are equipped with an auxiliary electric motor having a maximum continuous rated power of 0.25 kW, of which the output is progressively reduced and finally cut off as the vehicle reaches a speed of 25 km/h, or sooner, if the cyclist stops pedalling." Producers have to take the necessary measures to collect and recycle end-	Transposition deadline for member states: 15 February 2014	 Legal obligations resulting from this Directive relevant to dealers Knowledge of the definition of "producer" in this Directive

⁹ http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2009032738&table_name=wet

10 http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:174:0088:0110:en:PDF

11 http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:197:0038:0071:en:PDF

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UN Regulations for the transport of Lithium-Ion batteries	of-life electric bicycles either individually or through a collective scheme. They also have to sign up at the specific register of any member Lithium-lon batteries are classified as CLASS 9 - MISCELLANEOUS DANGEROUS GOODS under the dangerous good regulations for transport by road (ADR) and by air (IATA & IACO). 12	These international regulations apply to transport in any country in the world.	- Legal obligations resulting from this Directive relevant to dealers, suppliers and manufacturers
EN 15194 + EN 14764	EN 15194: This European Standard is intended to cover electrically power assisted cycles of a type which have a maximum continuous rated power of 0,25 kW, of which the output is progressively reduced and finally cut off as the vehicle reaches a speed of 25 km/h, or sooner, if the cyclist stops pedalling. This European standard specifies requirements and test methods for engine power management systems, electrical circuits including the charging system for the assessment of the design and assembly of electrically power assisted cycles and subassemblies for systems having a voltage up to and including 48 VDC or integrated a battery charger with a 230 V input.	There is no legal obligation to comply with the Belgian standards mentioned below. Belgian standard: NBN EN 15194+A1: 2012 Date of publication: 01/2012	 How to recognise an electric bicycle that complies with the standards: markings + administrative obligations Understanding of the relationship between standard and GPSD
		Belgian standard:	

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	The bicycle part of an electrical bicycle	NBN EN 14764 : 2006	
	as defined in EN 15194 must comply	Date of publication: 03/2006	
	with EN 14764:		
	This European Standard specifies		
	safety and performance requirements		
	for the design, assembly, and testing of		
	bicycles and sub-assemblies intended		
	for use on public roads, and lays down		
	guide lines for instructions on the use		
	and care of such bicycles. This		
	European Standard applies to bicycles		
	that have a maximum saddle height of		
	635 mm or more and that are in-		
	tended for use on public roads. This		
	standard does not apply to mountain		
	bicycles and racing bicycles,		
	tradesman's delivery bicycles,		
	recumbent bicycles, tandems and		
	bicycles designed and equipped for use		
	in sanctioned competitive events. ¹³		
Nisting of the physical acquired as a set	in sanctioned competitive events.	4 DECEMBED 4075 Karajahliilah salait	Kanadada af tha tachainn
National technical requirements		1 DECEMBER 1975 Koninklijk besluit	- Knowledge of the technical
		houdende algemeen reglement op de	requirements for bicycles
		politie van het wegverkeer en van het	
		gebruik van de openbare weg. ¹⁴	
		A .: 1 00 1 1 1 1 1 1 1	
		Article 82 on cycles and their trailers	
		has legal requirements relating to:	
		- Lights	
		- Reflectors	
		- Bell	
		- Brakes	
		- Dimensions	

		 Maximum mass for cycle + trailer 	
Decision 2011/786/EU on the safety requirements to be met by European standards for bicycles, bicycles for young children, and luggage carriers for bicycles pursuant to Directive 2001/95/EC. ¹⁵	This Decision sets basic safety requirements for all bicycles which have to be met in order to comply with the General Products Safety Directive (which is now under review).		- Knowledge of the technical requirements

2. Liability and Guarantees

Directive 99/44/EC of 25 May 1999 on	This Directive regulates legal	Transposition deadline for member	- Knowledge of the legal
certain aspects of the sale of	protection of the purchaser in respect	states: 1 January 2002	obligations resulting from
consumer goods and associated	of defects in the goods acquired. This	,	this Directive
guarantees (currently under review) ¹⁶	legal protection is rendered Belgian transposition:		
	compulsory by the law and is not	1 September 2004 - Wet betreffende	
	dependent upon the contract. The	de bescherming van de consumenten	
	Directive hence establishes the	bij verkoop van consumptiegoederen ¹⁷	
	principle of the conformity of the		
	product with the contract. The	- 2 year guarantee as of the date of	
	minimum term for this guarantee is 2	supply	
	years but some member states have	- Second hand goods: seller &	
	imposed a longer term. For second	consumer can agree on a	
	hand good, the minimum term is 1	guarantee of less than 2 years with	
	year	a minimum of 1 year	
Directive 2001/95/EC of 3 December	This Directive only applies to "cycles	Transposition deadline for the member	- Knowledge of the legal
2001 on general product safety 18	with pedal assistance which are	states: 15 January 2004	obligations resulting from
(under review)	equipped with an auxiliary electric		this Directive specifically for
	motor having a maximum continuous	Belgian transposition:	dealers
	rated power of 0.25 kW, of which the	16 February 2003 - Wet van 9 februari	- Knowledge of how to handle
	output is progressively reduced and	1994 betreffende de veiligheid van	problems resulting from
	finally cut off as the vehicle reaches a	producten en diensten ¹⁹	safety risks
	speed of 25 km/h, or sooner, if the		
cyclist stops pedalling." It does not			
	apply to electric bicycles in the type-		
	approval.		
	The Directive provides a generic		
	definition of a safe product. In addition		

http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31999L0044:EN:NOT

http://www.ejustice.just.fgov.be/cgi loi/loi a.pl?language=nl&caller=list&cn=2004090138&la=n&fromtab=wet&sql=dt='wet'&tri=dd+as+rank&rech=1&numero=1

http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32001L0095:en:NOT

¹⁹ http://www.ejustice.just.fgov.be/cgi_loi/loi_a.pl?language=nl&caller=list&cn=1994020935&la=n&fromtab=wet&sql=dt='wet'&tri=dd+as+rank&rech=1&numero=1

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Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products ²⁰	to the basic requirement to place only safe products on the market, producers must inform consumers of the risks associated with the products they supply. They must take appropriate measures to prevent such risks and be able to trace dangerous products. Since a reference has been published to EN 14764, any bicycle in conformity with this standard is presumed to be in conformity with General Product Safety Directive. Such a reference to EN 15194 has not been published yet. Following this law the manufacturer has to ensure the necessary warnings for possible risks linked to the product in the official language of the member state. This Directive regulates the producer's liability for damage caused by a defect in his product. The liability can be invoked for a period of 10 years after the date the product was put into circulation. The injured person has three years within which to seek compensation. This period starts from the date on which the injured person became aware of the damage, the	Transposition deadline for the member states: July 1988 Belgian transposition: 25 February 1991 - Wet betreffende de aansprakelijkheid voor produkten met gebreken. ²² No limit on the producer's liability in the case of death or personal injury.	- Knowledge of liabilities resulting from this Directive - Knowledge of how to handle damage cases
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Member States may set a limit for the total liability of a producer in the case	
of death or personal injury caused by identical items with the same defect ²¹	

3. Access to Trade

Legal conditions to sell, service and	21 DECEMBER 2006 Koninklijk besluit - Knowledge of the conditions
repair bicycles, electric bicycles,	betreffende de beroepsbekwaamheid to exercise the trade
components and accessories	voor de uitoefening van zelfstandige
	activiteiten met betrekking tot fietsen
	en motorvoertuigen. ²³
	One can only sell, service and repair
	bicycles, and electric cycles if in
	possession of a relevant diploma or
	following 1 year of practical experience
	under the conditions set out in the law.
	Sales of components and accessories is
	not subject to this law provided that
	they are only sold, not integrated in
	the vehicle.
	Following this law, if a person complies
	with the conditions for selling,
	servicing and repairing bicycles, he is
	only entitled to sell, service and repair
	"cycles with pedal assistance which are
	equipped with an auxiliary electric
	motor having a maximum continuous
	rated power of 0.25 kW, of which the
	output is progressively reduced and
	finally cut off as the vehicle reaches a
	speed of 25 km/h, or sooner, if the
	cyclist stops pedalling."

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To be allowed to sell electric bicycles
subject to the type-approval, that
person must comply with the legal
conditions to sell mopeds and
motorcycles.

4. Trade Practices

Directive 2005/29/EC of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market ²⁴	 There are 4 key elements in the Directive: A general clause defines practices which are unfair and therefore prohibited Definition of misleading practices and aggressive practices, the two main categories of unfair commercial practices. Safeguards that aim at preventing exploitation of vulnerable consumers An extensive black list of practices which are banned in all circumstances 	Transposition deadline for the member states: 12 December 2007 Belgian transposition: 6 APRIL 2010. — Wet betreffende marktpraktijken en consumentenbescherming. 25	- Knowledge of practices which are unfair and therefore prohibited
Directive 2000/31/EC of 8 June 2000 on electronic commerce ²⁶	This Directive establishes European harmonised rules for businesses and consumers on electronic commerce.	Transposition deadline for the member states: 17 January 2002 Belgian transposition: 11 MARCH 2003 – Wet betreffende bepaalde juridische aspecten van de diensten van de informatiemaatschappij. ²⁷	- Knowledge of the general information to be provided as an electronic service provider as well as knowledge of the rules governing placing the order

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http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&table_name=wet&cn=2003031132

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Directive 2011/83/EU of 25 October 2011 on consumer rights ²⁸	This Directive sets the rules for any contract between trade and consumer. In particular, it stipulates which information traders must provide to consumers for distance and offpremises contracts and it specifies the right of withdrawal for distance and off-premises contracts	Transposition deadline for the member states: 13 December 2013 Belgian transposition: Not transposed yet	- Knowledge of the consumer rights
Comission Regulation 330/2010/EU of 20 April 2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of vertical agreements and concerted practices ²⁹	This Regulation governs the distribution agreements between manufacturers and retailers. These agreements may contain certain restraints on the supplier or on the buyer. The Regulations sets out which of these restraints are allowed on condition that the companies who conclude the agreement do not have a market share exceeding 30%. The Regulation also defines "hardcore restrictions" which are not allowed in any case.	Direct application: 1 June 2010 until 31 May 2022	- Knowledge of hard-core restrictions in order to allow general assessment of the legality of any distribution contract presented by supplier

5. Employment Conditions

Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ³⁰	This Directive establishes base rules on protecting the health and safety of workers. The measures provided in the Directive aim to eliminate the risk factors for occupational diseases and accidents. Employers are obliged to ensure the health and safety of workers in every aspect related to the work by establishing means and measures for protecting them through prevention, information and training. The Directive also establishes obligations for the workers who must take care of their own health and security and that of persons involved in their work	Transposition deadline for the member states: 31 December 1992 Belgian transposition: 4 August 1996 - Wet betreffende het welzijn van de werknemers bij de uitvoering van hun werk. ³¹	- Knowledge of the obligations for employers and obligations for employees
Directive 2003/88/EC of 4 November 2003 concerning certain aspects of the organisation of working time ³²	The Directive lays down minimum safety and health requirements for the organisation of working time, in respect of periods of daily rest, breaks, weekly rest, maximum weekly working time, annual leave and aspects of night work, shift work and patterns of work.	Transposition deadline for the member states: 1 August 2004 Belgian transposition: 19 June 2012 Koninklijk besluit tot uitvoering van artikel 17bis van de wetten betreffende de jaarlijkse vakantie van de werknemers gecoördineerd op 28 juni 1971 ³³	- Knowledge of the obligations for employers

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³³ http://www.ejustice.just.fgov.be/cgi/article.pl?language=fr&caller=summary&pub_date=2012-06-28&numac=2012203517

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