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TO

Amend the Road Traffic Act 1988 and the Road Traffic Offenders Act 1988 to create criminal offences relating to dangerous, careless or inconsiderate cycling, in particular applying to a pedal cycle, an electrically assisted pedal cycle, and an electric scooter.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Causing death or serious injury by dangerous, careless or inconsiderate cycling

- (1) The Road Traffic Act 1988 is amended as follows.
(2) Before section 28 (dangerous cycling) insert—

“27A Causing death by dangerous cycling

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A person who causes the death of another person by riding a cycle dangerously (as defined in section 28) on a road or other public place is guilty of an offence.

27B Causing serious injury by dangerous cycling

- (1) A person who causes serious injury to another person by riding a cycle dangerously (as defined in section 28) on a road or other public place is guilty of an offence. 10

- (2) In this section “serious injury” means—

- (a) in England and Wales, physical harm which amounts to grievous bodily harm for the purposes of the Offences against the Person Act 1861, and 15
(b) in Scotland, severe physical injury.

27C Causing death by careless, or inconsiderate, cycling

A person who causes the death of another person by riding a cycle on a road or other public place without due care and attention, or without 20

reasonable consideration for other persons using the road or place, is guilty of an offence.”

(3) In section 28 (dangerous cycling), after subsection (3) insert –

“(3ZA) For the purposes of subsection (2), what would be expected of a competent and careful cyclist includes that their cycle is equipped and maintained in accordance with regulations made under section 81 of this Act.” 5

(4) After section 32 (electrically assisted pedal cycles), insert –

“32A Interpretation of sections 27A to 32

(1) For the purposes of sections 27A to 32 of this Act, “a cycle” includes but is not limited to – 10

- (a) a pedal cycle,
- (b) an electrically assisted pedal cycle, and
- (c) a mechanically propelled personal transporter, including –
 - (i) an electric scooter, 15
 - (ii) a self-balancing personal transporter (including a self-balancing scooter, self-balancing board or electric unicycle), and
 - (iii) any other mechanically propelled personal transporter provided for by the Secretary of State in regulations made under this section. 20

(2) For the purposes of subsection (1)(c), mechanically propelled personal transporters are to be defined in regulations made by the Secretary of State under this section.

2 Penalties 25

(1) The table in Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988 is amended as follows.

(2) After the row beginning “RTA section 27” insert in columns 1 to 4 –

“RTA Section 27A	Causing death by dangerous cycling.	On indictment.	14 years.	30
RTA Section 27B	Causing serious injury by dangerous cycling.	(a) Summarily. (b) On indictment.	(a) 12 months or the statutory maximum or both. (b) 5 years or a fine or both.	35

RTA 27C	Section	Causing death by careless or inconsiderate cycling.	(a) Summarily. (b) On indictment.	(a) 12 months (in England and Wales) or 6 months (in Scotland) or the statutory maximum or both. (b) 5 years or a fine or both.”	5
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3 Extent, commencement and short title

- (1) This Act extends to England and Wales and Scotland. 10
- (2) This Act comes into force at the end of the period of six months beginning on the day on which it is passed.
- (3) This Act may be cited as the Road Traffic Offences (Cycling) Act 2020.

Road Traffic Offences (Cycling) Bill [HL]

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Baroness McIntosh of Pickering

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