

# Electrical Safety First Conference

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# Identifying the Risks

- Intelligence led....
- Market surveillance, complaints or referrals
- Investigations
- IDB/MEMEX/ICSMS

# Tracking Unsafe Products

**Imports**.....Internet sales - Ebay.....Amazon.....Social media sites.....website domains overseas

- air freight (small items).....cargo ship (large and small items).....split shipments

- going to separate facilities, including domestic dwellings....fulfilment houses....virtual offices/accommodation addresses.....issues with supply chain evidence

**Manufacture** – large volume sales with widespread distribution - traceability

**Cottage industries**....home made, innovative products

Assessing compliance

E-bike or EAPC?



# E-bike or EAPC

## E-bike

- Does not fit with the definition of EAPC
- No restriction on speed or power
- Can only be ridden off-road unless registered to comply with Road Traffic legislation
- Currently off-road vehicles require EC type approval certification from a notified body (Intertek in Germany)

## EAPC

- The cycle must be fitted with pedals that are capable of propelling it (except twist and go's).
- The continuous rated power of the electric motor must not exceed 250 watts
- The electrical assistance must cut-off when the cycle reaches 15.5 m/h or 25km/h
- Age restriction for under 14's
- Exempt from Road Traffic legislation (road tax)
- Specific legislation and standards apply
- Twist and go bikes currently need EC type approval, EAPC's will have new standard in Feb 2018

# EAPC legislation

- Regulation (EU) 168/2013 – Approval and market surveillance of two or three-wheeled vehicles and quadricycles (does not apply to unrestricted e-bikes)
- The Supply of Machinery (Safety) Regulations 2008
- EMC compatibility
- Electrically Assisted Pedal Cycles Regulations 1983, and the Electrically Assisted Pedal Cycles (Amendment) Regulations 2015
- The Pedal Cycle (Construction and Use) Regulations 1983 and The Pedal Cycles (Construction and Use) (amendment) Regulations 2015 (applies to EAPCs in respect of brakes)
- The current standards for EAPCs, EN15194:2009 + A1:2011. However, standards that will be applicable to EAPCs after 28<sup>th</sup> February 2018 are BS EN 15194:2017

**Plus – the standards applicable to the battery cells used and for the chargers that need to be compatible with the battery cells.**

# EAPC's – **Legal** current challenges for enforcers

- Legislation is complex and confusing – current standard is not a legal obligation in some member states (it is in UK and France) – so challenges to free movement?
- Two current permitted formats for labelling under two pieces of legislation...but will this be superseded by the new 2017 standards, or will the Machinery Regulations prevail?
- Power display units have speed cut-offs that are adjustable in many cases to above the EAPC restriction requirement – how do you determine the risk assessment?
- What determines the PPE required?

# EAPC's – **practical** current challenges for enforcers

- Website sellers overseas/use of accommodation addresses – challenge to find out where the orders are being fulfilled from
- Powers under CRA mean that businesses are not inspected where they are conducted at a domestic dwelling. If a visit is required, warrants are usually obtained after a test purchase and testing or other reliable information indicates that the e-bike/EAPCs are unsafe.
- Cottage industries are unlikely to seek the assistance of a notified body as they believe they are constructing and supplying EAPCs, when in fact they could be considered as off-road e-bikes or motorbikes
- Issues of seizure and storage due to space and cost – need to use notices to suspend, warn or mark
- Cost of recall if manufacturer/importer liquidates