



BERMUDA

AUXILIARY BICYCLES (CONSTRUCTION, EQUIPMENT AND USE)  
REGULATIONS 1955

SR&O 16 / 1955

*[made under sections 30 and 51 of the Auxiliary Bicycles Act 1954 and brought into operation on 1 October 1955]*

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Citation

1 These Regulations may be cited as the Auxiliary Bicycles (Construction, Equipment and Use) Regulations 1955.

Interpretation

2 In these regulations unless the context otherwise requires, all expressions shall have the meanings assigned to them in the Auxiliary Bicycles Act 1954 *[title 21 item 7]*.

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Minister may by order regulate design or build of body

2A The design or build of the body of any auxiliary bicycle shall be regulated and controlled by order of the Minister—

- (a) so as to conduce to road safety; and
- (b) so as to preserve as far as possible the amenities of Bermuda, notwithstanding any consideration of private gain.

Minister may prohibit use of auxiliary bicycle on account of design or build of body

2B (1) Where the design or the build of the body of any auxiliary bicycle is, in the opinion of the Minister unsuitable having regard to the preservation of road safety or the amenities of Bermuda, the Minister may by order prohibit the use of such auxiliary bicycle on any road while it is so designed or while the body of such auxiliary bicycle is so built.

View to the front

3 (1) Every auxiliary bicycle shall be so designed, constructed and equipped that the driver thereof, while using the auxiliary bicycle on a road, can at all times have a full view of the road and of traffic ahead of the auxiliary bicycle.

(2) No article, including a flag or mascot, shall be carried on any auxiliary bicycle while the auxiliary bicycle is in use on a road if the article—

- (a) is of such a size; and
- (b) is carried in such a position,

as to be liable substantially to obstruct the driver's view of approaching traffic.

Handlebar width

4 No auxiliary bicycle shall be fitted with handlebars having a maximum overall width in excess of thirty inches.

Braking system

5 Every auxiliary bicycle shall be fitted with an effective braking system, which shall be maintained in good working order.

Warning device

6 Every auxiliary bicycle shall be equipped with a bell or other warning device of a pattern approved by the Minister, and every such bell or warning device shall be fitted in such a position that it can be readily operated by the driver of the auxiliary bicycle, and shall be maintained in good working order.

Lights

7 (1) Every auxiliary bicycle shall, while being used on any road during the hours of darkness, carry a minimum of at least—

- (a) one lamp showing to the front a white light; and

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(b) one lamp showing to the rear a red light.

(2) Any lamp carried in accordance with the provisions of this regulation shall be rigidly fitted to the auxiliary bicycle.

*[Regulation 7 amended by 2020 : 2 s. 6 effective 1 April 2020]*

Throttle control

8 In any case where the engine of an auxiliary bicycle is fitted with a mechanism for opening or closing the throttle, such mechanism shall be operated by a control convenient to and easily operated by the hand or foot of the driver of the auxiliary bicycle.

Maximum decibels

9 For the purposes of section 13 of the Auxiliary Bicycles Act 1954 [*title 21 item 7*], the maximum standard of noise permitted in relation to any auxiliary bicycle shall be such volume and intensity of noise measured in decibels and in such manner as the Minister may from time to time determine, when the engine of the auxiliary bicycle is being run at a speed which would propel the auxiliary bicycle, together with a driver, at 20 miles per hour on a level road under windless conditions, or at full throttle, whichever condition is first reached on test.

Identification plate

10 (1) An identification plate issued in respect of an auxiliary bicycle shall be fitted thereto in such a manner that the figures on the identification plate can be read at a reasonable distance at all times.

(2) No other figures or letters, and no design, ornamentation or article shall be placed near to, over or upon any identification plate in such a manner as to render it more difficult to read or distinguish the figures on the identification plate when the auxiliary bicycle is in use on a road.

(3) No identification plate shall be in any way obscured when the auxiliary bicycle is in use on a road.

(4) In this regulation, the expression "identification plate", in relation to any auxiliary bicycle, means a plate bearing the registered number of the auxiliary bicycle and issued by the Minister under the Auxiliary Bicycles (Examination, Licensing and Registration) Regulations 1955 [*title 21 item 7(b)*].

White reflective paint

11 *[Revoked by 2020 : 2 s. 6]*

*[Regulation 11 revoked by 2020 : 2 s. 6 effective 1 April 2020]*

Hand-held mobile telephones and other hand-held devices

12 (1) No person shall drive or cause or allow any other person to drive an auxiliary bicycle on a road if he is using—

(a) a hand-held mobile telephone;

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- (b) a hand-held device of any kind that can perform an interactive communication function by transmitting and receiving data, other than a two-way radio); or
  - (c) a hand-held electronic entertainment device that can produce music or gaming systems (wireless and non-wireless).
- (2) A person does not contravene a provision of this regulation if, at the time of the alleged contravention—
- (a) he is using the mobile telephone or other device to call the police, fire, ambulance or other emergency service;
  - (b) he is acting in response to a genuine emergency; and
  - (c) it is unsafe or impracticable for him to cease driving in order to make or receive the call.
- (3) For the purposes of this regulation—
- (a) a mobile telephone or device referred to in regulation 12(1) is to be treated as hand-held if it is, or needs to be, held in the hand at some point in order to operate it;
  - (b) “interactive communication function” includes the following—
    - (i) sending or receiving oral or written messages;
    - (ii) sending or receiving facsimile documents;
    - (iii) sending or receiving still or moving images; and
    - (iv) providing access to the Internet;
  - (c) “two-way radio” means any wireless telegraphy which is designed or adapted for the purpose of transmitting or receiving spoken messages.

*[Section 12 inserted by BR 40 / 2010 s. 2 effective 30 June 2010]*

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*[Amended by:*

SR&O 23 / 1967  
1968 : 222  
1974 : 7  
BR 17 / 1989  
BR 40 / 2010  
2020 : 2]