



BERMUDA

AUXILIARY BICYCLES (EXAMINATION, LICENSING AND REGISTRATION)  
REGULATIONS 1955

SR&O 17 / 1955

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

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Citation

1 These Regulations may be cited as the Auxiliary Bicycles (Examination, Licensing and Registration) Regulations 1955.

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Interpretation and construction

2 (1) In these Regulations—

“approved emissions standards” means the emissions standards approved by the Minister pursuant to section 17A(2)(a) of the Auxiliary Bicycles Act 1954;

“the Auxiliary Bicycles Act” means the Auxiliary Bicycles Act 1954 [*title 21 item 7*];

“auxiliary bicycle” has the meaning assigned to it in the Auxiliary Bicycles Act;

“auxiliary bicycle licence” means a licence issued or reissued under these Regulations to use a particular auxiliary bicycle on the roads of Bermuda;

“livery auxiliary bicycle” means an auxiliary bicycle owned by, and ordinarily hired or available for hire from, an auxiliary bicycle livery;

“owner”, in relation to an auxiliary bicycle, includes part owner.

(2) Any reference in these Regulations to the expression “licence period” shall be construed in accordance with the provisions of regulation 9.

(3) Any reference in these Regulations to a form in the Schedule shall be construed as including a reference to a substantially similar form approved from time to time by the Minister.

*[Regulation 2 para (1) “approved emissions standards” inserted by BR 79/2004 effective 17 December 2004]*

Periodical general examination of auxiliary bicycles

3 (1) Without prejudice to the provisions of regulation 4, the Minister may appoint days being days which fall within the period beginning on the first day of May in each year and ending on the thirty-first day of August in each year, upon which auxiliary bicycles shall be examined in pursuance of section 18 of the Auxiliary Bicycles Act.

(2) The Minister may appoint such days being days which fall within the period beginning on the first day of January in each year and ending on the thirty-first day of March in each year, for the examination of livery auxiliary bicycles as he may deem expedient for carrying out the relevant provisions of the Auxiliary Bicycles Act and, notwithstanding the provisions of regulation 7, a licence issued in respect of a livery auxiliary bicycle shall expire at the end of the thirtieth day of April and, accordingly, the licence period for a livery auxiliary bicycle shall, for the purposes of section 20 of the Auxiliary Bicycles Act, be for the period of twelve months immediately preceding the first day of May in each year.

Examination of auxiliary bicycles at other times

4 Notwithstanding anything in regulation 3 in any case—

(a) where an auxiliary bicycle has not been initially examined and the owner of the auxiliary bicycle desires it to be so examined; or

(b) where an auxiliary bicycle for any reason requires a reexamination arising out of an annual general examination; or

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- (c) where an auxiliary bicycle has for any reason not been examined on the day or at the time and place appointed for that purpose under the provisions of regulation 5 and the owner of the auxiliary bicycle desires it to be examined, the Minister upon application in that behalf by the owner of the auxiliary bicycle, may appoint a day for the examination of the auxiliary bicycle, whether or not the day so appointed is within the period specified in regulation 4(1).

Notice of examination

5 (1) The Minister shall cause notice to be given to the owner of any auxiliary bicycle which is to be examined in pursuance of regulation 3 or 4 of the day upon which, and the time and place at which, the auxiliary bicycle will be examined, and such notice may be by public advertisement or otherwise.

(2) The owner of the auxiliary bicycle shall cause the auxiliary bicycle to be available for examination on the day and at the time and place so notified to him.

Certificate of examination

6 Where an auxiliary bicycle is examined in pursuance of the provisions of the Auxiliary Bicycles Act and is found on such examination to be fit for use on the roads of Bermuda the examiner or inspector shall complete a certificate in Form A in the Schedule and transmit the form duly completed and signed to the owner of the auxiliary bicycle.

*[Regulation 6 amended by 2008:44 s.14 effective 23 December 2008]*

Expiration of auxiliary bicycle licence; licence periods

7 An auxiliary bicycle licence issued under these Regulations shall expire—

- (a) as respects a private auxiliary bicycle, at the end of the last day of the period of twelve months immediately succeeding the first day of the month during which the licence came into force; and
- (b) as respects a livery auxiliary bicycle, at the end of the thirtieth day of April next succeeding the date upon which the licence came into force.

Application for registration and initial issue of auxiliary bicycle licence

8 (1) Application for the initial issue of an auxiliary bicycle licence and for the registration of the auxiliary bicycle shall be made to the Minister in Form B in the Schedule.

(2) No auxiliary bicycle shall be registered and no auxiliary bicycle licence shall be issued to an applicant therefor unless—

- (a) the form of application is completed and signed by the applicant;
- (b) the granting of a licence to such person is in conformity with the provisions of the Auxiliary Bicycles Act;
- (c) the auxiliary bicycle has been duly examined and has been certified by the examiner or inspector to be fit for use on the roads of Bermuda;

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- (d) the appropriate licence duty, calculated in accordance with the provisions of section 20 of the Auxiliary Bicycles Act, is paid to the Minister;
- (e) there is produced to the Minister a certificate of insurance relating to the use of the auxiliary bicycle, as required by the Motor Car Insurance (Third Party Risks) Act 1943 [*title 21 item 5*], and valid for the period for which the licence is to be issued;
- (f) there is produced to the Minister a certificate or other valid document to be determined by the Minister, in respect of the auxiliary bicycle or type of auxiliary bicycle—
  - (i) signed by or on behalf of the bicycle's manufacturer or a governmental agency; and
  - (ii) stating that the bicycle or type of bicycle complies with the emissions standards referred to in section 17A(1) of the Act.

(3) An auxiliary bicycle licence shall be in Form C in the Schedule.

*[Regulation 8 para (2)(f) inserted by BR 79/2004 effective 17 December 2004; para (2)(c) amended by 2008:44 s.14 effective 23 December 2008]*

Periodical reissue of auxiliary bicycle licence

9 (1) Subject to the provisions of this regulation, an auxiliary bicycle licence in respect of the use of a duly registered auxiliary bicycle shall be reissued by the Minister in respect of any licence period subsequent to the initial licence period—

- (a) upon surrender of the licence to the Minister for the necessary alterations; and
- (b) upon payment of the appropriate licence duty calculated in accordance with the provisions of the Auxiliary Bicycles Act.

(2) The Minister, where he thinks it expedient to do so, may fix a date on or before which applications for the reissue of auxiliary bicycle licences should be forwarded to him being a day not earlier than the fifteenth day of March in each year.

(3) The Minister shall cause notice to be given of any such date by public advertisement or otherwise, and if any person fails to comply with any such requirements of the Minister, his application shall be dealt with as time allows, and no remedy shall lie against the Minister if an auxiliary bicycle licence is reissued in respect of such application after the first day of the licence period, that is to say, the first day of September in that year.

Prohibition of defacing auxiliary bicycle licence

10 No person shall deface or mutilate any auxiliary bicycle licence or alter or obliterate any entry therein or (except as provided by these Regulations) make any entry in or addition to such licence.

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Alteration of particulars in auxiliary bicycle licence

11 If any alteration is made to an auxiliary bicycle after it has been registered and licensed, or any alteration occurs in respect of the name or address of the owner, being in either case an alteration which affects the registration particulars set out in the auxiliary bicycle licence, then the owner shall forthwith, in writing, notify such alteration to the Minister, and at the same time deliver up the licence for amendment.

Duty to inform Minister when auxiliary bicycle destroyed etc

12 Where an auxiliary bicycle—

- (a) has been destroyed;
- (b) has been rendered permanently unserviceably; or
- (c) has been permanently removed from Bermuda, then the person who was at the material time the owner of the auxiliary bicycle shall within fourteen days of the event—
  - (i) notify the Minister in writing of the circumstances; and
  - (ii) return the auxiliary bicycle licence to the Minister.

Identification plates

13 (1) Where an auxiliary bicycle is registered or relicensed under these Regulations the Minister shall, on payment of such charge as he may determine, issue to the applicant an identification plate in the appropriate form set out in paragraph (2) which shall be exhibited on the rear of the auxiliary bicycle in the manner provided in the Auxiliary Bicycles (Construction, Equipment and Use) Regulations 1955 [*title 21 item 7(a)*].

(2) In the case of livery auxiliary bicycles, the identification plate shall bear an index letter above three numbers embossed in red on a white background, and in the case of private auxiliary bicycles, the identification plate shall bear an index letter below three numbers embossed in white on a blue background.

(3) The following provisions shall apply to identification plates for auxiliary bicycles:—

- (a) the plate shall be so constructed that the index letter and figures are reflected if illuminated during the hours of darkness;
- (b) the letter and figures shall be of such dimensions as the Minister may determine;
- (c) no letter or figure shall be capable of being detached from the surface of the plate;
- (d) the index letter and figures shall be so positioned on the plate that there is adequate space for the annual validation sticker to be attached in the centre of the plate.

(4) Where upon a change of ownership of an auxiliary bicycle the new owner duly makes application to be registered as the owner of the auxiliary bicycle, the identification

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plate issued under this regulation in respect of the registration in the name of the previous owner shall, unless the Minister otherwise directs, continue to be the identification plate for that auxiliary bicycle.

*[Regulation 13 amended by 2020 : 2 s. 6 effective 1 April 2020]*

Annual validation stickers

14 (1) Where a licence is issued or reissued in respect of an auxiliary bicycle the Minister shall issue to the applicant a validation sticker of such description as he may determine.

(2) The validation sticker shall, during the period the licence issued therewith remains in force, be exhibited upon the identification plate of the auxiliary bicycle when the auxiliary bicycle is in use.

Defacement etc of identification plates

15 Any person who alters, defaces or mutilates any identification plate or validation sticker or who exhibits or causes to be exhibited on any auxiliary bicycle any identification plate or validation sticker other than such plate or sticker as is lawfully issued in respect of that auxiliary bicycle by the Minister commits an offence against these Regulations.

Commencement, and transitional provisions

16 *[omitted]*

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SCHEDULE

FORMS

Form A

Examination certificate

[*omitted*]

Form B

Application for licensing and registration of auxiliary bicycle

[*omitted*]

Form C

Licence for auxiliary bicycle

[*omitted*]

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*[Amended by:*

SR&O 24 / 1967

1968 : 222

1973 : 45

SR&O 3 / 1973

1974 : 7

SR&O 22 / 1974

BR 48 / 1982

BR 79 / 2004

2008 : 44

2020 : 2]