

# Fact sheet: Use of e-bikes in NSW

## Can I legally ride an electric bicycle?

Electric bicycles (e-bikes) that meet specific standards are permitted on roads and road-related areas in NSW.

It is illegal to use a petrol-powered bicycle on NSW roads or road-related areas. This includes bicycles with petrol engines attached before or after purchase or powered by other internal combustion engines.

## What kind of e-bike can I ride on roads in NSW?

Only two types of compliant e-bikes are permitted on roads and road-related areas in NSW. These are power-assisted pedal cycles and electrically power-assisted cycles. Compliant e-bikes must be designed to be predominately propelled or moved by the rider. They cannot be run exclusively or mainly by the motor.

### A compliant power-assisted pedal cycle:

- has one or more motors attached with a combined maximum power output of 200 watts
- cannot be propelled exclusively by the motor/s

- weighs less than 50kg (including batteries)
- has a height-adjustable seat

### A compliant electrically power-assisted cycle

- must have a maximum continued rated power of up to 500 watts
- has a motor which:
  - progressively reduce as the bicycle's speed increases beyond 6km/h
  - cuts out when the bicycle reaches a speed of 25km/h or if the rider stops pedalling and the speed exceeds 6km/h

It is illegal to ride powered bicycles that don't meet the e-bike requirements outlined above on NSW roads or road related areas. You can only ride non-compliant e-bikes on private property.

## What is a road or road related area?

'Road' means an area open to or used by the public and developed for, or has, as one of its main uses, the driving or riding of motor vehicles.

'Road related area' means an area that divides a road, a footpath or nature strip, a

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cycle path or an area used by the public for driving, riding or parking vehicles.

## Is an e-bike a motor vehicle?

A compliant e-bike is not classified as a motor vehicle because it can only move or be propelled if someone manually pushes the pedals.

If an e-bike exceeds the maximum power output of 500 watts or can be propelled solely by the motor without pedalling, it is classified as a motor vehicle and a rider can receive a fine for driving an unregistered or unlicensed motor vehicle.

## Riding a compliant e-bike

Licence and registration requirements  
Compliant e-bikes are treated the same as regular push-bikes under NSW law and don't require a licence or registration to ride.

## Do drink driving and drug driving laws apply to e-bike riders?

Yes, drink driving laws apply to e-bike riders. It is illegal to ride an e-bike while under the influence of alcohol or any other drug. This offence does not specifically relate to blood alcohol content, but whether your riding is impaired (blood alcohol content may be a relevant factor taken into account).

The maximum penalties for a first offence include a fine of up to \$3,300 or imprisonment for up to 18 months. In the case of a subsequent offence, the maximum penalties include a fine of up to \$5,500 and imprisonment for up to 2

years. You can also lose your driver licence if you are convicted for riding an e-bike under the influence of alcohol or any other drug.

## General rules for e-bike riders

E-bike riders must adhere to the same rules as regular cyclists in NSW. For example, e-bike riders must:  
ensure the e-bike is equipped with lights and reflectors for night riding  
ensure the e-bike is fitted with a working bell

## Do I have to ride with a helmet?

Yes, e-bike riders must wear a helmet. If you are caught riding without a helmet (or are using an unapproved helmet which does not meet safety standards), you can face an on-the-spot fine of \$410 or court penalty of \$2,200, and three demerit points.

## Can I ride on the footpath?

A compliant e-bike is subject to the same rules as an ordinary push bike. If you are 16 years or older and not supervising a child under 16 years riding a bike, you can't ride an e-bike on the footpath.

## Are children allowed to ride e-bikes?

There are currently no age restrictions limiting use of personal e-bikes in NSW. Ride-share e-bike operators may set an age limit for hiring an e-bike.  
Penalties for riding non-compliant e-bikes  
Non-compliant e-bikes cannot be ridden on NSW roads. They cannot be registered

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and there is no driver licence class available that can be applied for. A rider of a non-compliant e-bike which is propelled by a motor (rather than by pedalling) can be issued a fine or court attendance notice for use of an uninsured and unregistered motor vehicle on the road, and/or for driving/riding unlicensed.

## Penalties for use of uninsured motor vehicle

Use of an uninsured motor vehicle on the road has an on-the-spot fine of \$818, with a maximum court fine of \$2,200. The penalties for using an unregistered motor vehicle on the road are the same. Penalties for driving unlicensed

In relation to driving unlicensed or with a suspended or disqualified licence, the penalties are as follows

Penalties	First Offence	Second or subsequent offences
Penalty notice	\$572	Not available for subsequent offence
Maximum court- imposed fine	\$2,200	\$3,300
Maximum prison term	N/A	6 months
Minimum disqualification	N/A	3 months
Default disqualification period	N/A	12 months

## Why can shops sell e-bikes that are illegal?

There is currently no quality control over e-bikes purchased from overseas retailers, so some non-compliant or illegal models may be available for sale in Australia. Retailers may not be aware that the e-bikes they sell do not meet current e-bike standards. Your e-bike is not automatically legal just because you bought it in Australia. It must comply with the requirements outlined above.

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