

Regulating cycling & cyclists

Appendix: the Government's views;
what happens in other countries

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UK

Appendix

Notes:

This appendix accompanies Cycling UK's briefing on regulating cycling and cyclists
All hyperlinks accessed 21/06/2023

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A. The Government's view on introducing new regulations

So far, the Government in Westminster has consistently resisted introducing regulation for cyclists, often using the same arguments put forward by Cycling UK. Most of the statements quoted below are answers to Parliamentary Questions:

February 2022

In [answer](#) to a question from Richard Holden MP on what assessment the Government had made of the potential merits of requiring cyclists and motorcyclists to wear high visibility clothing, Trudy Harrison, Parliamentary Under-Secretary (Department for Transport) said:

“The safety of vulnerable road users is a priority for the Government. The Department recommends that cyclists and motorcyclists wear clothing that makes them sufficiently visible to other road users, and has recently revised the Highway Code to make this even clearer. However, the Government has no plans to mandate the wearing of high visibility clothing either for cyclists or for motorcyclists. For cyclists, the benefits would be outweighed by the fact that it would be likely to put many people off cycling, thereby reducing the health and environmental benefits that cycling can provide.”

In [answer](#) to a question from Martyn Day MP on whether the Department for Transport had assessed the potential merits of making insurance an legal requirement for cyclists, Trudy Harrison, Parliamentary Under-Secretary (Department for Transport) said:

“Cyclists are encouraged, but not required, to take out some form of insurance, and many cyclists have insurance cover through their membership of cycling organisations. All cyclists are required to obey the rules of the road, and the fact that a cyclist is not insured does not prevent them from being liable for the consequences of their actions. The police, and ultimately the courts, can take into account all the circumstances of an incident and judge accordingly.”

In [answer](#) to a question from Lord Lipsey on what consideration the Government were giving to mandatory number plates for cyclists, Baroness Vere of Norbiton Parliamentary Under-Secretary (Department for Transport) said:

“The Government currently has no plans to introduce number plates for cyclists. The absence of a number plate does not prevent a cyclist from being liable for their actions. For those who do not adopt a responsible attitude, or if their use of the highway creates an unsafe environment, there are laws in place that can make them liable for prosecution. Enforcement of cycling offences is a matter for the police.”

June 2021

In an [answer](#) to Lord Berkeley, who asked “what assessment they have made of the possible (1) advantages, and (2) disadvantages, of introducing a licensing system for cyclists.” Baroness Vere of Norbiton, Parliamentary Under-Secretary, DfT said:

“The Government considered this matter carefully as part of the cycling and walking safety review in 2018, and has no plans to introduce such a system.

Cycling brings many benefits, particularly in terms of health and the environment, and the Government is keen to encourage rather than restrict it. Cyclists must respect the rules of the road as set out in The Highway Code and enforcement of cycling offences is a matter for the police. The introduction of a licensing system would be likely to deter many people from cycling and the costs and complexity of introducing and administering such a system, would be likely to outweigh any road safety or other benefits.”

April 2021

In a [debate](#) on bells for cycles, Baroness Vere of Norbiton Parliamentary Under-Secretary (Department for Transport), said:

“My Lords, the Government are not about to mandate bells on bicycles. That would be disproportionate, and it is unlikely that any enforcement would be a police priority. However, cyclists must take responsibility for their actions. A little “ding ding” on a bell on a bridleway is perfectly fine, but if you are travelling in central London, it will get you nowhere, and in those circumstances, a shout is probably preferable. I am afraid that the Government will not be mandating bells at the present time.”

March 2019

In [answer](#) to a question in the House of Lords, Baroness Barran said:

“The Government considered this matter as part of the cycling and walking safety review in 2018. They have no plans to require cyclists to have a licence or third-party insurance. The costs and complexity of introducing such a system would significantly outweigh the benefits, particularly the requirement for a licence.”

“Over 3 million new cycles are sold each year. Licensing and insurance would require the establishment of a central register, and the Government’s view is that this would be very cumbersome and expensive to administer. There is evidence that other countries that have trialled these schemes have then withdrawn them.”

January 2018

In a written [answer](#), Jesse Norman (DfT minister), said:

“The Government has no current plans to introduce compulsory insurance for delivery cyclists, bicycle messengers, or for cyclists in general, although it encourages all cyclists to take out some form of insurance. There are insurers who offer policies tailored to cyclists who use their bicycle for courier and delivery purposes.”

November 2016

In a written [answer](#) about cycle delivery services, Lord Ahmad said:

“Current legislation requires the use of motor vehicles to be covered by third party liability insurance. Compulsory insurance only applies to motor vehicles because the average speed and construction of motor vehicles means that they are much more likely than a pedal cycle to cause serious property damage or personal injury to a third party. / We have no plans to make insurance compulsory for cyclists.

However, all cyclists are encouraged to take out liability insurance and a range of products are available on the market.”

June 2016

In a written [answer](#), Lord Ahmad said:

“We have no plans to make insurance compulsory for cyclists. We encourage all cyclists to take out some form of insurance. In fact, many cyclists do through membership of cycling organisations, such as Cycling UK.”

December 2015

In a [written answer](#), Lord Ahmad of Wimbledon (then Parliamentary Under-Secretary of State, DfT) said:

“We consider that the costs of a formal testing and licensing system for cyclists would significantly outweigh the benefits cycling has to the country’s economy, health and environment. [...] It is likely that a licensing system will discourage many existing and potential cyclists, leading to a dramatic fall in the numbers of people cycling.

“Around 80% of adult cyclists also hold driving licenses, meaning that the majority of cyclists on the road have already been tested on operating safely in different road and traffic conditions. Furthermore, the safety case for a testing/licensing system is not as strong as that for drivers since, by contrast with motorised vehicles, bicycles involved in collisions on the highway are highly unlikely to cause serious injury to other road users.”

October 2006

In a written [answer](#), Lord Davies of Oldham (Deputy Chief Whip (House of Lords)) said:

“The Vehicle Excise and Registration Act 1994 provides for the registration of mechanically propelled vehicles so it would not be possible to register bicycles or cyclists under that Act. To enable the Government to administer the registration of cyclists, changes in legislation would have to be considered along with extensive changes to computer systems.”

B. What happens in other countries?

Firstly, the UK is lagging behind other countries in Europe whose rules on liability reflect the fact that vulnerable road users such as pedestrians and cyclists are disproportionately affected by crashes. Cycling UK supports the introduction of ‘presumed liability’ to help correct for this imbalance (see (a) below).

Secondly, in countries famed for their high levels of cycle use, cyclists don’t have to be tested, licenced/registered etc., as far as we know. Prime examples of this are the Netherlands and Denmark, where about 27% and 17% of trips are cycled, respectively.

A variety of regulatory systems has been introduced in other countries or in cities elsewhere (e.g. Toronto and Switzerland), but subsequently abolished (e.g. in Toronto and Switzerland); either that, or their main aim isn't/wasn't to tackle irresponsible behaviour, but bike theft (e.g. in Japan).

Different rules on liability ('presumed liability')

The rules on liability for injury or damage to vulnerable third parties in the majority of European countries are not comparable to that of the UK. Many correct for imbalances in power or vulnerability amongst road users by adopting a 'presumed liability' approach.

In most European countries, the bigger vehicle is presumed responsible or motor vehicles are held strictly liable for injuries to non-motorised users (NMUs).

In France, Belgium and the Netherlands, any driver who injures an NMU is, essentially, responsible for compensating them, unless they can show that the NMU was at fault. In the UK, the NMU has to prove that the driver was at fault, which often such a complex and protracted process that it delays compensation payments.

The only EU countries that have not adopted 'presumed liability' are Cyprus, Malta, Romania and Ireland.

Examples of revoked regulatory legislation (Toronto & Switzerland)

- [City of Toronto](#), Canada

In 1935, Toronto introduced a bylaw requiring residents who owned and used bicycles on the city's highways to buy a licence for their bikes. It was, necessarily, a complicated system, and involved much paperwork, visits to police stations, bike inspections etc.. In 1957, the bylaw was repealed, with the City stating that it "... often results in an unconscious contravention of the law at a very tender age" and noting the poor public relations it caused between police officers and children.

On occasion since then, the city has thought about reintroducing the bylaw, but has each time rejected the idea, mainly citing how difficult it is to keep the database up to date and license children and, critically, its basic failure to modify the kind of behaviour it wanted to target.

- [Switzerland](#)

Very early in its cycling history in the 1890s, some cantons in Switzerland obliged all cyclists to purchase a metal bicycle licence plate unique to the bike and its owner, both of which were thereby registered. Again, this was an expensive and complicated system (involving either the municipality or the police), and was replaced by the mandatory Velo-Vignette in 1989.

Purchasing a Velo-Vignette, a self-adhesive sticker, was compulsory and covered cyclists with third party liability insurance. The stickers were valid from 1st January one year to 31st

May the next, and non-compliance was penalised with a fine. Obligatory registration and the central registry dealing with it was disbanded, however.

The Velo-Vignette was finally abolished from 1 January 2012 (except for e-bikes capable of exceeding 25 km/h). Its high cost and administrative burden had been repeatedly questioned and 90% of cyclists were found to be covered by private liability insurance in any case.

Example of bicycle registration system (Japan)

Japan's [compulsory registration](#) system is only for bicycles, is meant to deter bike theft and make it easier for stolen bikes to be reunited with their owners. It has been, apparently, [rigorously enforced](#).