



Victoria Government Gazette

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Fair Trading Act 1999

PERMANENT BAN ORDER PROHIBITING THE SUPPLY OF DANGEROUS GOODS

I, Marsha Thomson, Minister for Consumer Affairs, pursuant to the powers conferred on me by Part 3 Division 1 of the **Fair Trading Act 1999** hereby make a permanent ban order (the "Order") prohibiting the supply in Victoria of the following goods:

Goods that are motorcycles, powered by an internal combustion engine, not intended for certification under the "Road Vehicle Certification System" operated by the Commonwealth Department of Transport and Regional Services. The goods include motorcycles also known as Mini Bikes, Pocket Bikes or Monkey Bikes, that do not comply with the schedule to this order.

Schedule

- (a) Throttle (Accelerator):
All motorcycles shall be equipped with an accelerator mounted on the right handlebar and be self-closing in a clockwise direction to the idle position after release of hand.
- (b) Braking Systems:
All motorcycles shall be equipped with brake systems that are capable of acting on the front and rear wheels. With the exception of drum-type brake systems, the brake system must incorporate a floating/sliding-type brake calliper, which compensates for any increased movement of its components arising from brake pad wear. The braking effort applied to the control lever must be equally and automatically distributed onto each brake lining without the necessity for an adjuster at the brake calliper.
- (c) Foot Pegs:
All motorcycles shall be equipped with foot pegs. Each foot peg must be capable of holding a static load equal to the maximum carrying capacity recommended by the manufacturer. Where a maximum carrying capacity is not supplied by the manufacturer, each foot peg must be capable of holding a static load of 70 kg.
- (d) Steering:
The steering head (head stem) shall exhibit no free play and the steering must move freely, under its own weight, from right lock to left lock with the front wheel raised off the ground.
- (e) Supplemental Engine Stop:
All motorcycles shall be equipped with a functioning thumb-operated device located on the right handlebar capable of stopping the engine. The device shall be operable throughout its full range by the driver's right hand without removal of the hand from the throttle. The device shall be clearly identified as "Engine Stop" and have the words "Off" "Run" or equivalent ISO symbols. The device and identification shall be clearly visible and legible to the seated driver.
(Note: The above requirements for supplemental engine stop are taken from Australian Design Rule ADR 57.)

I make this permanent ban order on the recommendation of Dr David Cousins, Director of Consumer Affairs Victoria, in accordance with section 40(2)(a) of the **Fair Trading Act 1999**.

Pursuant to the powers conferred on me by Part 3 Division 1 of the **Fair Trading Act 1999**, I hereby revoke the previous order dated 16 May 2005 and published in the Victoria Government Gazette No. S100 of 23 May 2005 in respect of goods that are motorcycles not intended for certification under the "Road Vehicle Certification Scheme" operated by the Commonwealth Department of Transport and Regional Services, including Mini Bikes, Pocket Bikes and Monkey Bikes.

Dated 9 November 2005

MARSHA THOMSON MP
Minister for Consumer Affairs

Explanatory Note

This permanent ban order prohibits the supply of motorcycles powered by an internal combustion engine that do not comply with the schedule to this order. The goods include motorcycles also known as Mini Bikes, Pocket Bikes or Monkey Bikes.

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