businesscompanion
trading standards law explained

Mini motos, off-road vehicles, etc

In the guide

Product safety
Special safety requirements
Technical documentation
Particular safety concerns
Legal and illegal use of off-road vehicles
Petrol: underage sales
Outside the scope of this guide
Trading Standards
In this update
Key legislation

In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for England, Scotland and Wales

Off-road vehicles - such as mini motorbikes, quad bikes and other off-road vehicles - are popular as recreational vehicles for both adults and children. However, concerns have been raised about vehicle safety and associated nuisance and anti-social behaviour.

When assessing the safety of a product, a number of matters are taken into consideration; anyone in the supply chain, including retailers, can be held liable for the supply of unsafe products.

Traders should carry out basic checks on vehicles before supply, including checking that the frame is not damaged, that nuts and bolts are secure, tyres are properly inflated, and steering is aligned.

Product safety

The law requires that any product sold to consumers must be safe. Products must not present any unnecessary risk to anyone when used in a normal or reasonably foreseeable way. When assessing the safety of a product, the following must be taken into account:

- packaging, labelling and instructions
- effect of the product on other products with which it might be used
- special needs of particular types of people, such as children

Where there are national, European or international standards relating to the product, these standards will also need to be taken into account.

Anyone in the supply chain, including retailers, can be held liable for the supply of unsafe products. In general, it is a criminal offence to supply unsafe products and you could also be liable to pay compensation for any injury or property-damage caused.

You should be prepared to carry out checks on the product and/or on your suppliers to ensure product safety. Doing nothing is not enough.

Special safety requirements

Off-road vehicles are covered by the Supply of Machinery (Safety) Regulations 2008. They specifically exclude vehicles that are intended for use in competitions or on the road. Compliance with the health and safety requirements of these Regulations can be achieved by manufacturing to UK designated standards.

The Standard BS EN 16029: *Ride-on motorised vehicles intended for the transportation of persons and not intended for use on public roads. Single-track two-wheel motor vehicles. Safety requirements and test methods* could be taken into account when assessing whether the product complies with the Supply of Machinery (Safety) Regulations 2008.

All vehicles that are covered by the Regulations will need to have the CE / UKCA mark and comply with the health and safety requirements outlined in the Regulations.

Technical documentation

The Regulations also place an obligation on manufacturers and importers that place mini motos or off-road vehicles on the market to:

- ensure that the technical documentation is compiled and made available in accordance with the requirements
- provide information as necessary to operate it safely, such as instructions for use, repair and maintenance
- follow appropriate conformity assessment procedures as prescribed by the Regulations
- ensure that there is a declaration of conformity undertaken by the manufacturer which must accompany the vehicle

The CE / UKCA mark is placed on a product by the manufacturer as confirmation that it complies with all relevant safety standards. All machinery requires CE / UKCA marking in accordance with the Supply of Machinery (Safety) Regulations 2008.

Particular safety concerns

As a retailer, you may not have the same degree of technical knowledge and expertise as a manufacturer or importer. However, you may be able to carry out certain checks on the safety of off-road vehicles. All off-road vehicles subject to the Supply of Machinery (Safety) Regulations 2008 must be accompanied by a declaration of conformity drawn up by the manufacturer (see above). This specifies, amongst other things,

which standards the off-road vehicle complies with. It is an offence for a machine to be supplied without the declaration of conformity.

Additionally, you must ensure that each vehicle is supplied with adequate written instructions. If there are parts of the instructions that have a particular relevance to safety, you may wish to highlight them.

You should also examine each vehicle before you supply it, and carry out basic checks - for example:

- all fixings, nuts and bolts are correctly and securely fastened
- frame is not damaged
- condition and inflation of tyres
- brakes are working effectively
- no sharp edges and entrapment hazards
- no leaks in the fuel system
- steering is aligned
- all hot surfaces, such as exhausts, are guarded

You may wish to offer advice on the appropriate safety equipment that needs to be used with the vehicle, such as a helmet and suitable clothing, and to offer to supply this equipment. Any such advice must be included in the written instructions.

Legal and illegal use of off-road vehicles

Off-road vehicles cannot be used on the public highway. Furthermore, under the Road Traffic Act 1988 (and related legislation), motorised vehicles cannot be used anywhere off-road, except on private land with the landowner's permission. This means that mini motorbikes and quad bikes cannot legally be used on pavements, footpaths or cycle paths; nor can they usually be used on parkland, common land or wasteland.

There are also provisions in law against nuisance, including noise nuisance caused by the inappropriate or illegal use of off-road vehicles. In some cases the Police can impound and even destroy vehicles that are being used in an anti-social manner.

You should make it clear to prospective customers that the vehicle can only be used on private land, and then only with the landowner's permission and if it does not cause a nuisance.

Petrol: underage sales

Petrol cannot be sold to children under 16 years of age. If you are supplying a vehicle for use by children, we would recommend that you remind your customers of this.

Outside the scope of this guide

If you are importing off-road vehicles, to sell at retail or wholesale, you may need to take specialist advice from your local Trading Standards service.

Vehicles that are sold for use both on and off the road (such as some quad bikes) are designed to comply with the regulations that deal with the construction and use of vehicles on the road. To be used on the road, of course, the vehicles and riders will require the correct form of licence and insurance.

E-bikes (electrically assisted pedal cycles) and e-scooters are also subject to their own special rules; see 'E-bikes and e-scooters'.

Trading Standards

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

In this update

No major changes.

Last reviewed / updated: February 2025

Key legislation

- Road Traffic Act 1988
- Supply of Machinery (Safety) Regulations 2008

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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