| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2213  Responded to: 21st September 2023 |
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Your recent request for information is replicated below, together with our response.

## In the past three years, how many E-bike riders were stopped and how many were found to be riding E-bikes that were not compliant with EAPC regulations?

## How many riders were prosecuted and how many E-bikes were seized?

Having considered your request in terms of the above Act, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, there are a number of difficulties with your request. Firstly, details of any stops would only be recorded in a Police Officer’s notebook and as such, over 16,000 officer notebooks would have to be individually analysed to identify any incidents of relevance.

Furthermore, our understanding is that E-bikes which do not comply with EAPC rules are classed as a motorcycle or moped and need to be registered and taxed and the rider needs a driving licence.

Data regarding these offences is recorded in accordance with the Scottish Government Justice Department offence classification codes and are not sub-categorised by vehicle type.

Case by case assessment of all offences recorded under the relevant crime classifications would have to be carried out which is an exercise which would far exceed the cost limit set out in the Fees Regulation.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.