



Natural Environment and Rural Communities Act 2006

2006 CHAPTER 16

PART 6

RIGHTS OF WAY

Rights of way and mechanically propelled vehicles

68 Presumed dedication of restricted byways and use by pedal cycles etc.

(1) Amend section 31 of the Highways Act 1980 (c. 66) (dedication of highway presumed after public use for 20 years) as follows.

(2) After subsection (1) insert—

“(1A) Subsection (1)—

- (a) is subject to section 66 of the Natural Environment and Rural Communities Act 2006 (dedication by virtue of use for mechanically propelled vehicles no longer possible), but
- (b) applies in relation to the dedication of a restricted byway by virtue of use for non-mechanically propelled vehicles as it applies in relation to the dedication of any other description of highway which does not include a public right of way for mechanically propelled vehicles.”

(3) After subsection (10) insert—

“(10A) Nothing in subsection (1A) affects the obligations of the highway authority, or of any other person, as respects the maintenance of a way.”

(4) After subsection (11) insert—

“(12) For the purposes of subsection (1A) “mechanically propelled vehicle” does not include a vehicle falling within section 189(1)(c) of the Road Traffic Act 1988 (electrically assisted pedal cycle).”

Changes to legislation: There are currently no known outstanding effects for the Natural Environment and Rural Communities Act 2006, Section 68. (See end of Document for details)

Commencement Information

- I1** [S. 68](#) in force at 2.5.2006 for E. immediately after the coming into force of 2000 c. 37, ss. 47-50 by [S.I. 2006/1176, art. 6](#)
- I2** [S. 68](#) in force at 16.11.2006 for W. by [S.I. 2006/2992, art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Natural Environment and Rural Communities Act 2006, Section 68.