

## Introduction

This training course deals with new motorcycle battery legislation and legal requirements.

It will provide you with information on government legislation for the sale and distribution of motorcycle batteries.

The course consists of the following modules:

- What is the legislation?
- Effects on distributors & dealers
- Effects for online sales
- Effects on the public & penalties

Each module has its own training video, downloadable resources and some will be followed by a short multiple choice test.

Once you have completed all modules there will be a final test to check your understanding and knowledge.

Once passed you will earn a certificate for the completion of this course.

## Module 1 - What is the Legislation?

All motorcycle batteries must be filled by the retailer before being sold to a member of the public in the UK unless they possess a valid Explosives Precursors and Poisons (EPP) licence.

The government legislation means it is now illegal for a member of the public to purchase a motorcycle battery that is supplied with a separate acid pack without them holding an EPP licence.

Sulphuric acid has been reclassified as a regulated substance.

Members of the public wishing to acquire, possess or use sulphuric acid above a 15% concentration will need an EPP Licence to do so.

This means that it will be an offence to buy or possess an unfilled motorcycle battery with a separate electrolyte bottle without a valid EPP licence as the electrolyte contains sulphuric acid above 15% concentration.

Responding to recent events and following an industry wide consultation, the government has introduced measures to further control the sale of sulphuric acid as it has now been reclassified as an explosive precursor.

Explosive precursors are chemicals that may be used in the illicit manufacture of explosives.

The new regulations affect all GS and Yuasa products where acid is supplied in a bottle alongside the battery for the customer to self-activate or the supply of separate electrolyte bottles.

EPP licencing is not required for batteries that are supplied with the acid already inside. These are exempt as a filled battery is classified as 'specific object'.

## Module 2 - Effects on Distributors & Dealers

It is the responsibility of all distributors, dealers and retailers to ensure they comply with these new regulations.

Distributors and dealers will not need an EPP licence providing they are acquiring, importing, possessing or using sulphuric acid for purposes connected with their trade or business.

They may however be asked to provide evidence of this and explain the intended use of the chemicals.

Businesses do however have an obligation to report suspicious transactions both business to business and to members of the public.

These include disappearances and thefts of sulphuric acid and includes sulphuric acid contained within batteries.

A transaction is suspicious if there are reasonable grounds for suspecting that the substance in question is intended for the illicit manufacture of explosives, or, is intended for any illicit use.

On July 1st, 2018 it became an offence to supply an unfilled motorcycle battery sold with an acid pack to members of the public without verifying that that person has a valid EPP licence.

We believe it is unlikely that consumers will apply for an EPP licence to buy a motorcycle battery.

Therefore, retailers will need to fill any motorcycle batteries before sale to a member of the public who does not hold a valid EPP licence.

Once the battery has been filled it should be charged as advised on the battery to ensure maximum service life and prevent premature failure.

Members of the public with a valid EPP licence can purchase, acquire or possess unfilled batteries with separate acid packs.

The retailer must inspect the licence along with the forms of identification specified by the licence.

The retailer must:

Ask to see their licence and associated photographic ID

Compare the photograph to the customer

Verify the photographic ID reference against the ID reference on the front page of the licence

Check the product being purchased is allowed as part of the licence conditions (substance, concentration, quantity).

Record the transaction details in the table on the back of the licence.

A warning label indicating that it is an offence for members of the public to acquire, possess or use the substance without an EPP licence must also be affixed to the packaging.

If the battery is to be sold unfilled with an acid pack, it is the retailer's responsibility to check for a valid EPP licence, attach an appropriate warning label and report any suspicious activity.

Failure to do so could result in prosecution, a fine and up to 2 years in prison.

## Module 3 - Effects for Online Sales

For online transactions, the retailer must comply with all the requirements set out by the new regulations.

For all online transactions, the online seller will need to see a digital scan of the valid EPP licence before completing the transaction.

The battery with acid pack must then be delivered using a specialist courier who is able to follow the full EPP licence verification procedure at the doorstep before giving the customer possession of the product.

If selling to members of the public who do not have an EPP licence, online retailers will need to ensure that the filled battery is packed appropriately and labelled correctly.

Please note that some types will require additional packaging and special shipping arrangements to ensure compliance with ADR regulations.

## Module 4 - Effects on the Public & Penalties

Members of the public wishing to acquire or purchase sulphuric acid in concentrations of more than 15% will need a valid EPP licence.

This means that to purchase a motorcycle battery sold with an acid pack a consumer will need to apply and receive a valid EPP licence, at a fixed cost prior to purchase.

From November 1st, 2018 it became an offence to possess or use sulphuric acid at concentrations of over 15%, without a valid EPP licence.

This includes bottles of electrolyte that have not yet been put into a motorcycle battery.

The penalties for possession without an EPP licence or supplying restricted substances without verifying that the member of public has a valid EPP licence can be a custodial sentence of 2 years and a large fine.

Failure to enter transaction details onto the EPP licence or not attaching the warning label has a maximum fine of £500.

Failure to meet the reporting requirements can attract a fine or custodial sentence of up to 3 months.