

cycling

& THE LAW



JULY 2017



Government of South Australia

Department of Planning,
Transport and Infrastructure

introduction

The State Government recognises cycling as an important part of the personal transport mix and an increasingly popular recreational activity. This is a guide to the laws that apply when cycling in South Australia. The law defines bicycles as vehicles for use on the road and road-related areas, and regulates bicycle riders, the same as it does for drivers of motor vehicles and all road users.

It is essential that all bicycle riders understand and behave in accordance with the road rules for their own, and other road users' safety. This guide is not intended to be used as a legal document and should be read in conjunction with *The Driver's Handbook*.

Cycling offers a range of personal benefits such as improved health and fitness, lower cost travel and often in urban areas, shorter trip times. Cycling also reduces the environmental impacts of the transport system. Safer, greener and more active transport is good for everyone.

The Department of Planning, Transport and Infrastructure is committed to improving cycling safety and encouraging more people to 'cycle instead'.

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your bicycle

DEFINITION OF A BICYCLE

A bicycle is legally classified as a road vehicle. Similarly to a car, the bicycle must be suitably constructed and equipped, as well as properly maintained so that it does not present any danger to the rider or other road users. Bicycles must meet mandatory Australian Standards before they can be offered for sale and any modifications completed after the original purchase need to be consistent with that standard AS/NZS 1927.

A bicycle is classified in the Australian Road Rules as being any two or more wheeled vehicle that is built to be propelled by human power through a belt, chain or gears (whether or not it has an auxiliary motor) and includes a pedicab, penny-farthing, tricycle and a Pedalec. The definition does not include a wheelchair, wheeled recreational device (such as a kick scooter, skateboard or roller blades etc), wheeled toy, or any vehicle with an auxiliary motor capable of generating a power output over 200W (whether or not the motor is operating).



There are two types of power-assisted bicycles that are legal to ride in South Australia. Here the bicycle's attached motor may provide assistance but the pedals are the main source of propulsion.

- ▶ One type is a power-assisted bicycle with up to 200 watts of power (the power is controlled by a throttle or accelerator).
- ▶ The other type is a power-assisted bicycle (or pedal cycle) meeting European standard EN 15194 (a Pedalec). Pedalec bicycles have up to 250 watts of continuous power and the power is controlled by the rider using the pedals. A Pedalec must have a clear label certifying that it complies with EN 15194.

Petrol powered bicycles will develop greater than 200 watts and are prohibited.

BRAKES

Every bicycle must have at least one effective brake. As a minimum, the bicycle is required to have an operational back pedal foot brake or a hand brake fitted to either the front or back wheel. The levers for hand brakes should be within easy reach.

WARNING DEVICE

Every bicycle must have within easy reach a functioning warning device, such as a bell or a horn.

RIDING AT NIGHT AND IN HAZARDOUS WEATHER

Riding when visibility is reduced such as at night or in hazardous weather conditions (heavy rain), you must have (either on you or on your bicycle):


- › a flashing or steady white light that is clearly visible at least 200 metres from the front of the bicycle
- › a flashing or steady red tail light that is clearly visible at least 200 metres from the rear of the bicycle
- › a red rear reflector that is clearly visible for at least 50 metres from the rear of the bicycle when light is projected on to it by a vehicle's headlight on low beam.

TRAILERS

You may want to use your bicycle to tow a trailer in order to carry a passenger or goods. The trailer must be able to carry a passenger and/or goods safely and the passenger must wear an approved helmet.

There are a number of restrictions for trailers which need to be followed. The attachment device (coupling) used to join the trailer to your bicycle must:

- › permit adequate left to right movement between bicycle and trailer
- › be robust, preventing the bicycle and trailer from coming apart

- 
- › have a safety connection such as a chain, that:
 - will hold the trailer in the event that the coupling comes apart
 - will not easily or accidentally come apart itself, and
 - permits normal movement without more slack than necessary for that purpose.

You must not tow:

- › a bicycle trailer carrying a person unless you are 16 years old or older
- › a bicycle trailer with a passenger 10 years old or older
- › more than one bicycle trailer at a time
- › any equipment or load on the trailer exceeding 85 centimetres (cm) in width.

Two reflectors must be fitted to the rear of the trailer. They must be evenly spaced either side of the centre of the trailer, at the same level and be between 33cm and 1 metre from the ground.

If travelling between sunset and sunrise, or in hazardous weather conditions, either one or two red tail lights must be fitted to the rear of the trailer.

If one tail light is fitted, it must be fitted at the rear in the centre of the right hand side of the trailer. If two tail lights are fitted, they must be evenly spaced either side of the centre of the trailer at the same level. In either case the rear tail light(s) must be between 33cm and 1 metre from the ground.

BICYCLE RACKS ON VEHICLES

A bicycle rack attached to a motor vehicle, and any bicycle on the rack, must not obscure the rear number plate of the vehicle.

When attaching a bicycle rack to the rear of a vehicle, you can either:

- › display a bicycle rack number plate on the rack, or
- › take the rear number plate off the motor vehicle and attach it to the bicycle rack.

You must not display a standard size number plate on both the rear of a motor vehicle and on a bicycle rack or display homemade number plates.

Bicycle rack number plates have the same registration number as your motor vehicle and cannot be used on any other vehicle.

When carrying bicycles on your rack, you must attach an additional brake light if the brake lights on the motor vehicle are not visible from a distance of 200 metres (under normal weather conditions).

Bicycle rack number plates can be purchased at your nearest Service SA Centre or online at www.ezyplates.sa.gov.au



Bicycle rack number plate

CHILD CARRIER SEATS

When carrying children in bicycle carrier seats, they must wear approved bicycle helmets and be safely restrained. The carrier seat or trailer must be a sufficient distance from the bicycle wheels to ensure the child can not put fingers, toes or toys into the moving bicycle wheel.




rules for roads

The *South Australian Road Traffic Act*, including the Australian Road Rules, defines the rules and responsibilities of all road users, including bicycle riders. The following section outlines rules that apply specifically to bicycle riders and includes other relevant road rules. Further legislative information is available online at: www.legislation.sa.gov.au

Bicycles are classified as vehicles and therefore bicycle riders have the same responsibilities, and must obey the same road rules, as motor vehicle drivers. Remember:

- ▶ You can be charged with a traffic offence in the same way as a motor vehicle driver. This includes incurring demerit points against your driver's licence if you hold one. If you do not hold a driver's licence you will still incur demerit points which can prohibit you from obtaining a licence in the future.
- ▶ Although the law gives you the same rights and responsibilities as other road users, other road users may not be aware of this.
- ▶ You are more easily injured than motor vehicle occupants and it is therefore safer for you to be highly visible and look out for other road users when riding.

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- › The law does not give anyone indisputable right of way, nor should you assume that another road user is going to give way.
 - › Some people will judge all bicycle riders by your actions. If you disregard the road rules, you can undermine the goodwill of other road users.

BICYCLE HELMETS

When riding, you must wear an approved bicycle helmet that is properly adjusted and securely fastened. An approved bicycle helmet must comply with Australian Standard AS/NZS 2063 which will appear on the helmet, and shops must not sell or offer bicycle helmets for sale unless they meet this standard. This also applies to any passenger that you may have on your bicycle or in a bicycle trailer.

KEEPING TO THE LEFT

You must keep as close as reasonably practicable to the left side of the road except:

- › when making, or about to make, a right turn
- › where the road is divided into lanes
- › when overtaking.

In deciding how close to the left side of the road or path is 'reasonably practicable', you should take into account factors such as obstacles in your path, lighting conditions at the time, and the quality of the riding surface.

A driver of a motor vehicle must provide a minimum of 1 metre of space when passing a bicycle rider/s on roads 60 km/h and under and 1.5 metres on roads over 60 km/h. Motor vehicles are allowed to cross centre dividing lines and straddle lanes in order to safely pass bicycle rider/s at the minimum distance, but only if the driver has a clear view of any approaching traffic and it is safe to do so.

CAUSING A HAZARD

You must not cause a traffic hazard (cause danger to yourself or others) by riding into the path of a driver or pedestrian.

For example, if you move out to pass a parked car or avoid an obstacle without checking behind for other road vehicles, you can cause danger to yourself or others. You should only move out to pass a parked car or avoid an obstacle when it is safe to do so.

'NO BICYCLES' SIGNS

You must not ride on a length of road or path to which a Road Access sign or a No Bicycles sign applies (see diagrams).



Road Access sign



No Bicycle sign



HAND SIGNALS

You must give a hand signal when preparing to turn right, diverge right or when changing lanes to the right. However, when undertaking a hook turn, you do not need to give a hand signal (see Hook turns, p. 21).

RIDING AND SEATING POSITION

When riding, you must face forward and be in a seat designed for travelling on a bicycle. You must not ride the bicycle seated in any other position, e.g. on the handlebars or the crossbar.

CARRYING PASSENGERS

You must not carry more passengers than the bicycle is designed or equipped to carry. Most bicycles are designed to carry only the rider, however there are exceptions including child carrier seats, tandems and bicycle trailers. Extra persons are not to be carried unless they are in a seat designed for a passenger or in a bicycle trailer.

RIDING WITHOUT HANDS ON THE HANDLEBARS

You must always have at least one hand on the handlebars and have proper control of the bicycle.

HOLDING ONTO A MOVING VEHICLE

You must not be towed or hold on to a moving vehicle, including another bicycle rider.

LEADING AN ANIMAL

You must not lead (on a leash or any other leading device) an animal from a vehicle, including a bicycle.

SLIP STREAMING OR PACING

You must not ride within 2 metres of the back of a moving motor vehicle for more than 200 metres.

SPEED LIMITS

Bicycle riders must obey the same speed limits as drivers of motor vehicles.

BICYCLE LANES

Bicycle lanes are for the exclusive use of bicycle riders. These lanes are indicated by bicycle lane signs or by road markings comprising both a white bicycle symbol and the word 'lane' painted in white. The lanes operate during the times indicated. If no times are stated, they operate at all times (see diagrams on the opposite page).

Green bicycle lanes are installed at intersections where there is a higher potential for conflict between motor vehicles and bicycles. They clearly highlight the boundaries of a bicycle lane.

If you are riding on a road with a bicycle lane, you must ride in the bicycle lane. You may move out of the bicycle lane to avoid debris, potholes, or to safely overtake another bicycle rider. You must only ride in the correct direction in the bicycle lane.

During the bicycle lane operating times, you must not ride outside a bicycle lane abreast of another rider unless you are overtaking.

Other road users are permitted to use a bicycle lane only when:

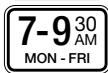
- ▶ the bicycle lane is not in operation
- ▶ stopping in an emergency
- ▶ entering or leaving the road from private property, a parking area, including a parking lane, or another road (and then only for up to 50 metres)
- ▶ overtaking a vehicle turning right or making a U-turn (and then only for up to 50 metres)
- ▶ avoiding an obstruction (and then only for up to 50 metres)
- ▶ driving a bus or taxi picking up or dropping off passengers (and then only for up to 50 metres).



*Bicycle Lane
sign - operates
at all times*

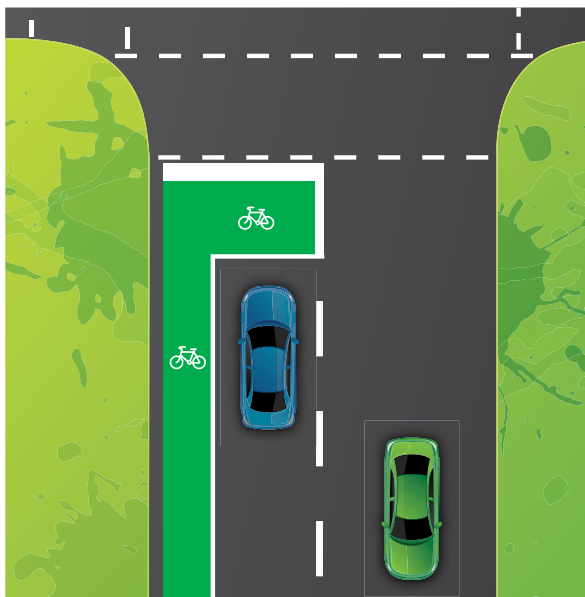


*Bicycle Lane
sign - operates
at times stated*



BICYCLE STORAGE AREAS (BIKE BOXES)

A bicycle storage area, or bike box, is a safety feature at an intersection to allow bicycle riders to be more visible to drivers. It is represented on the road with a white bicycle symbol, and the area may be painted green.



Using a bicycle storage area:

- › at a red traffic signal, bicycle riders wanting to turn left or go straight must keep to the left of the bike box
- › bicycle riders wanting to turn right must keep to the right of the bike box.

When entering a bicycle storage area, a bicycle rider must give way:

- › to any vehicle that is in the area
- › if the area is before any green or yellow traffic lights, any vehicle that is entering or about to enter the area, unless the motor vehicle is turning in a direction that is subject to a red traffic arrow
- › if the area forms part of a lane to which traffic arrows apply, any vehicle that is entering or about to enter the area at a time when those arrows are green or yellow.

GIVING WAY TO BUSES

All vehicles in the left lane (including a bicycle lane) must give way to any bus displaying a Give Way to Buses sign that is indicating its intention to rejoin the traffic flow.



Give Way to Buses sign

BUS LANES

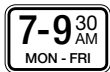
You are permitted to ride in bus lanes; however you should not obstruct a bus using the lane and ride as close as reasonably practicable to the left side of the bus lane.



*Bus Lane
sign - operates
at all times*



*Bus Lane
sign - operates
at times stated*



You are not permitted to ride in a Bus Only Lane. These lanes are usually coloured red and in South Australia most have a bicycle lane adjacent for bicycle riders to ride in.

When there is a separate signal for buses (a white 'B' light) at an intersection, you must allow the bus to proceed on that signal. It is illegal for any other vehicle, including a bicycle, to proceed on the white 'B' light.



*Bus Only
Lane sign*

ROUNDBABOUTS

Like all motorists entering a roundabout, bicycle riders must give way to vehicles already using the roundabout and should look out for vehicles approaching the roundabout from the right. You may turn right from either lane of a multi-lane roundabout. If you are riding in the left lane, you must give way to any vehicle leaving the roundabout.



Bicycle rider giving way to vehicles leaving the roundabout

RIDING ABREAST

You may ride beside another bicycle rider on a road but must not ride more than 1.5 metres apart. Three or more bicycle riders must not ride beside each other, although you are permitted to overtake other bicycle riders that are riding beside each other. You must not ride outside a bicycle lane abreast of another rider in a bicycle lane unless you are overtaking (see Bicycle Lanes, p. 12-13).

PASSING (OVERTAKING) VEHICLES ON THE LEFT

Whether you are riding in a marked bicycle lane or sharing a lane with a vehicle, a bicycle rider must not pass or overtake on the left of any vehicle that is giving a left change of direction signal and is turning left. A bicycle rider may pass or overtake a vehicle on the left when the vehicle is giving a left change of direction signal and is stationary or moving forward before starting to turn left. Once the vehicle begins turning left the rider must not ride past or overtake the vehicle on the left.

A driver turning left through a break in a dividing strip must give way to any bicycle rider travelling in the bicycle lane. A dividing strip is a painted area or a raised structure, located between intersections, separating the bicycle lane from a marked lane. Drivers must not overtake and then turn left across a bicycle riders path without due care and consideration to the movement and safety of the rider.



RIDING YOUR BICYCLE ACROSS CROSSINGS

Bicycle riders are permitted to ride across a marked foot crossing, children's school crossing or a pedestrian crossing, but they must do it safely. You must keep to the left, give way to any pedestrian, and cross without delay. You must obey any pedestrian or bicycle crossing lights and not enter the crossing once the symbol turns red. You should slow down on the approach to the crossing and keep a sharp lookout for pedestrians and vehicles.

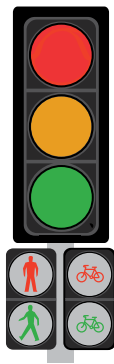
Marked foot crossings have white lines painted on the road with the yellow foot crossing sign. Wombat crossings are placed on a raised section of road and are usually accompanied by a 40km/h speed limit. A zebra crossing is a non-raised version of a wombat crossing.

Children's crossings operate near schools. Emu crossings have white road markings with "CHILDREN CROSSING" flags displayed on red and white posts. They are only operational when these flags are displayed. Koala crossings have white road markings and twin alternating flashing yellow lights on red and white posts and are only operational when the yellow lights are flashing.

Pedestrian (push button) crossings have white road markings and are controlled by traffic lights. Push buttons are located on both sides of the crossing.

For further information about school crossings see www.dpti.sa.gov.au/Way2Go/school_crossing

Bicycle crossing lights have been installed to assist bicycle riders to cross busy roads – the same way in which pedestrian lights assist pedestrians. They can assist bicycle riders to cross the road by either giving bicycle riders an advance green to get a head start on other traffic or give bicycle riders a separate traffic signal phase. These may require the bicycle rider to be detected by pushing a button, or being on a detector in a bicycle lane or bicycle box.



APPROACHING INTERSECTIONS AND CROSSINGS

Like other road users, a bicycle rider must obey any traffic signs including traffic light signals at intersections.

Bicycle riders must give way to pedestrians or bicycle riders that are on, or about to enter a crossing.

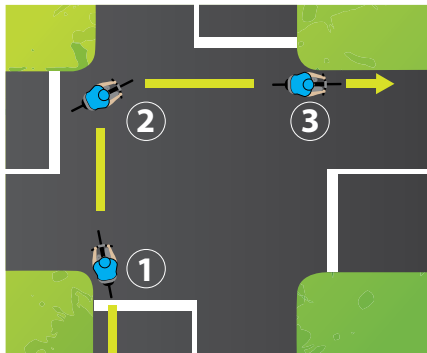
You must not overtake another vehicle that has stopped at crossing to give way to pedestrians or bicycle riders, either to the left or right of that vehicle. You must remain stationary if anyone is on or about to enter the crossing. Within a school zone you must also travel at no more than 25km/hour at any time when children are present on the road or footpath.

HOOK TURNS

When turning right at an intersection, you have the option of making a hook turn (from the left lane), rather than making a normal right turn. A hook turn may be more convenient on some roads, such as those with heavy traffic. When making a hook turn, you must obey all traffic laws such as only proceeding on a green light and giving way to other traffic.

When making a hook turn you must complete the following steps (see diagram below):

1. Approach and enter the intersection from the left side.
2. Move forward and wait on the opposite left corner.
3. Then proceed onto the road to which the right turn was to be made.



How to make a hook turn

rules for paths

This section explains the different types of 'off-road' paths available to bicycle riders and some associated rules bicycle riders must follow when using them.

When riding on any path you must:

- › exercise due care and consideration for pedestrians and other users
- › give warning to pedestrians or other path users by sounding your bell or horn or by other means, if necessary for the purpose of averting danger
- › keep to the left of any oncoming bicycle rider
- › wear an approved bicycle helmet that is properly secured and fastened.

Specifically when using footpaths or shared paths you must:

- › keep to the left of the path unless it is impracticable to do so
- › give way to any pedestrians.



FOOTPATHS

Bicycle riders of all ages are permitted to ride on the footpath unless a 'no bicycles' sign is present (see No Bicycles signs, p.10).

SHARED PATHS

There are an increasing number of paths that can be used by bicycle riders. In most cases, these are paths shared with pedestrians. These paths are identified by signs.



Shared path sign

SEPARATED PATHS

A separated path is divided into sections, one of which is designated for the exclusive use of bicycle riders and the other for pedestrians. These paths are identified by signs and path markings and you must not ride along the part of the path designated for pedestrians.



Separated path sign

BICYCLE PATHS

A bicycle path is for the exclusive use of bicycle riders and is identified by signs and path markings.



Bicycle path sign

PARKS AND PRIVATE PROPERTY

Some parks do not allow bicycle riding within their grounds. If you are unsure about bicycle access, you should contact the Department of Environment, Water and Natural Resources, or the appropriate local council or land owner for advice.

alcohol & other drugs

It is both dangerous and against the law to ride a bicycle or any other vehicle, 'under the influence' of alcohol or drugs. This is a criminal offence, and upon conviction you will be fined and will consequently have a criminal record. You may also lose up to six demerit points from your driver's licence or learner's permit, and potentially lose your licence. If you do not hold a driver's licence you will still incur demerit points which can prohibit you from obtaining a licence in the future.

You can be fined or convicted for driving under the influence regardless of whether you are over or under the 0.05 blood alcohol concentration level. This is particularly the case if you are so affected by any amount of alcohol or a drug that you are incapable of exercising effective control of your bicycle.



if you have a crash

If you are involved in a crash, you must take the following actions:

- › stop straight away and assist any injured people
- › give your name and address and any other information necessary to identify the bicycle you were riding. If the bicycle is not yours you must provide the name and address of the bicycle owner to:
 - any other driver / rider in the crash
 - any injured person
 - the owner of any damaged property
 - any representative of these people
 - any attending police officer.

You must report the crash to Police if one or more of the following apply:

- › any person is killed or injured. This must be reported to Police at the scene of the crash or at a Police station within 90 minutes of the crash.
- › for any reason, you do not give the required particulars to other people.
- › another driver's or rider's particulars are not given to you.
- › a fair estimate of the value of the total damage is more than \$3000 (not required if the only property damage is yours alone). This must be reported to Police within 24 hours after the crash.
- › a vehicle involved in the crash is towed or carried away by another vehicle.

It is also advisable that you record all the details of the crash, including:

- › registration number, if a motor vehicle
- › the name and address of the other driver / rider
- › the name of the owner of the vehicle (if the person driving is not the owner)
- › make, model and colour of the vehicle / bicycle
- › all details of the crash, including names and addresses of any witnesses, description of the damage, road surface and weather conditions, positions and directions of vehicles before and after the collision.

If you are able, take a photo of the scene.

For further clarification, you should contact a solicitor, the Legal Services Commission or a community legal centre.



bicycle security & insurance

If you are leaving your bicycle in a public area, try to leave it in a place that is easily visible, well lit, and where there will be people passing by. Always lock your bicycle to an immovable object with a good quality lock, even at home or when you are leaving it for only a short time.

Few stolen bicycles that are found are returned to their owners, mainly because owners are unable to give a description of the bicycle. Keep a description of your bicycle to increase your chances of getting your bicycle back if it is found. Take a photograph of your bicycle and keep a record of all relevant details such as the bicycle type, brand name, colour, size and serial number. You could identify your bike by engraving your (or a family member's or a friend's) drivers licence number for easy identification.

Some household insurance policies now have public and personal liability insurance which will cover you and your bicycle if it is stolen or if you injure someone else or damage someone else's property. If you are in doubt you should refer to your insurance policy or contact your insurance company. If you do not have any insurance you should take out separate public liability insurance against causing personal injury to another person to avoid any damages claim. A number of cycling organisations provide some form of public liability insurance and personal accident insurance. Contact your local bicycle club or association to find out more information.



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FOR MORE INFORMATION ON:

- › Cycling & the Law › Road Traffic Act and Regulations
- › Australian Road Rules › Bicycle rack number plates
- › The Driver's Handbook
- › Bicycle routes - Adelaide's Bikedirect network
- › General cycling information
- › Cycle Instead Journey Planner
- › Cycle Instead: A guide for new and rusty riders
- › Cycling and Walking maps

Websites:

www.dpti.sa.gov.au/cycling

www.mylicence.sa.gov.au

www.legislation.sa.gov.au

www.sa.gov.au

Phone: 13 10 84 (Service SA)

Monday to Friday, 9am - 5pm

Email: DPTI.enquiriesadministrator@sa.gov.au

TO REPORT ROAD HAZARDS IN METROPOLITAN ADELAIDE

Department of Planning, Transport and Infrastructure

Free Call: 1800 018 313

TO REPORT DANGEROUS DRIVING:

South Australia Police Traffic Watch

Phone: 13 14 44



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