

House of Assembly—No 125

As laid on the table and read a first time, 26 May 2016

South Australia

**Road Traffic (Bicycles on Footpaths) Amendment
Bill 2016**

A BILL FOR

An Act to amend the *Road Traffic Act 1961*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

5 This Act may be cited as the *Road Traffic (Bicycles on Footpaths) Amendment Act 2016*.

2—Commencement

This Act will come into operation 2 months after the day on which it is assented to by the Governor.

3—Amendment provisions

10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Road Traffic Act 1961*

4—Amendment of section 81—Interpretation

(1) Section 81, before the definition of *permissive parking sign* insert:

15 *bicycle* has the same meaning as in the *Australian Road Rules*;

footpath has the same meaning as in the *Australian Road Rules*;

20 *footpath or shared path speed limit sign* means a speed limit sign that, on or with the sign, has words, symbols or signs (including words, symbols or signs prescribed by regulation for the purposes of this definition) indicating that the speed limit sign applies to riders of bicycles on a footpath or a shared path;

no bicycles road marking has the same meaning as in the *Australian Road Rules*;

no bicycles sign means—

25 (a) a sign that is a no bicycles sign for the purposes of the *Australian Road Rules*; or

- (b) a sign displaying the words "no bicycles" or other words or symbols indicating that riders of bicycles are not permitted on the length of road or in the area to which the sign applies (and such a sign will be taken to be a no bicycles sign for the purposes of the *Australian Road Rules*);

(2) Section 81, after the definition of *permissive parking sign* insert:

shared path has the same meaning as in the *Australian Road Rules*;

speed limit sign means a sign that is a speed limit sign for the purposes of the *Australian Road Rules*.

5—Insertion of sections 98 and 99

Before section 99A insert:

98—Riding bicycles on footpaths, shared paths etc

- (1) A person must not ride a bicycle on a footpath or shared path at a speed greater than the speed limit applying to the rider for the length of footpath or shared path on which the rider is riding.
- (2) If a footpath or shared path speed limit sign does not apply to a length of footpath or shared path, the speed limit applying to a rider of a bicycle on the length of footpath or shared path is 10 kilometres per hour.
- (3) A person must not ride a bicycle on a length of footpath to which a no bicycles sign, or a no bicycles road marking, applies.
- (4) A no bicycles sign, or a no bicycles road marking, applies to a length of footpath beginning at the sign or marking and ending at the next intersection (or at any earlier sign indicating that a person is no longer prohibited from riding a bicycle).

99—Installation etc of no bicycles etc signs by councils without approval of Minister

- (1) A council may, without the approval of the Minister or compliance with any other requirement of this Act—
- (a) install, maintain, alter or operate, or cause to be installed, maintained, altered or operated—
- (i) a footpath or shared path speed limit sign on, above or near a footpath or shared path that is under the care, control or management of the council; or
- (ii) a no bicycles sign or no bicycles road marking on, above or near a footpath that is under the care, control or management of the council; or
- (b) remove such a sign or road marking, or cause such a sign or road marking to be removed,

and such a sign or marking will, despite this Act or any other Act or law, be taken to have been lawfully so installed, maintained, altered, operated or removed.

- (2) Despite this Act or any other Act or law, the Minister may not alter or remove, or direct or approve the alteration or removal of—
- (a) a footpath or shared path speed limit sign; or
 - (b) a no bicycles sign or no bicycles road marking,

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that is on, above or near a footpath or shared path that is under the care control or management of a council.