

SOUTH AFRICAN RULES OF THE ROAD & CYCLING LEGISLATION



As cyclists it is important to understand our rights and responsibilities as road users. According to South African traffic laws, bicycles are regarded as legal vehicles. We have the same right to safe passage as anyone else traveling on the road and are required to follow the rules of the road and Provincial and National cycling legislation.

NATIONAL LEGISLATION

The National Traffic Act 93 of 1996 and the National Road Traffic Regulations cover rules about safety equipment for cycling (e.g. helmet, lights and reflectors), where you can ride (e.g. riding on freeways is illegal) and Rules of the Road that apply to both motorists and cyclists.

In summary – these rules of the road apply to both motor vehicle drivers and cyclists:

- Always stop at all red traffic lights and stop signs.
- Giving way to pedestrians and stopping before crosswalks (pedestrian crossings) so they're free for pedestrians to use.
- Riding with the flow of traffic on streets on two-way and one-way streets.

These rules relate specifically to cycling:

- Riding without a helmet is illegal.
- Always stop at all red traffic lights and all stop streets, and give way to pedestrians.
- The law says you must ride on the left of the road.
- You must be seated in your saddle.
- You must ride in single file.
- You may not deliberately swerve your bicycle from side to side.
- If you are riding on a public road where there is a bicycle lane, you must use that lane.
- Along with dedicated bicycle paths and lanes, you may therefore ride on any road open to cycling. This excludes freeways and all roads which indicate they are closed to bicycles.
- Use cycle lanes wherever these exist.

Extract from the National Traffic Act 93 of 1996 and the National Road Traffic Regulations

152. Brakes on pedal cycles No person shall operate on a public road any pedal cycle unless it is equipped with at least one brake which shall operate on the rear wheel or wheels.

178. Lamps on pedal cycle (1) A pedal cycle may be fitted in front with a lamp emitting a white light, the intense part of the beam of which shall, when such pedal cycle is on a reasonably level road, strike the surface ahead of such pedal cycle at a distance of not less than three metres and not more than 30 metres. (2) A pedal cycle may be fitted with one or more lamps emitting a red light directly to the rear.

182. Certain lamps to emit diffused lights Every lamp fitted to a vehicle, other than the head lamps of a motor vehicle, the front lamp of a pedal cycle, spot lamp and fog lamp, shall emit diffused light when in operation on a public road.

186. White retro-reflectors to be fitted on front of certain vehicles

(3) No person shall operate a pedal cycle on a public road unless there is fitted on the front of such cycle a white retro-reflector complying with the provisions of regulations 189 and 192.

187. Red retro-reflectors to be fitted on rear of certain vehicles

(4) No person shall operate a pedal cycle on a public road unless there is fitted on the rear of such cycle a red retro-reflector complying with the provisions of regulations 189 and 192.

201. Warning devices (1) Subject to the provisions of sections 58(3) and 60 of the Act, no person shall operate on a public road – (b) a pedal cycle, unless it is equipped with an efficient warning device which is in good working order and, when used, capable of giving adequate warning of its approach;

207. Compulsory wearing of protective helmet

(2) After expiry of three years from the date of commencement of this regulation, no person shall drive or be a passenger on a pedal cycle on a public road unless he or she is wearing a protective helmet which fits him or her properly and of which the chin straps is properly fastened under the chin.

(3) The driver of a motor cycle, motor tricycle, motor quadracycle or pedal cycle shall ensure that any passenger in or on such cycle who is younger than 14 years, complies with the provisions of subregulation (1) or (2), as the case may be.

228. Projections in case of motor cycle, motor tricycle or pedal cycle

No person shall operate on a public road a motor cycle, motor tricycle, or pedal cycle if any goods carried thereon, or on any portion or side-car of such cycle, project more than 600 millimetres to the front of the axle centre of the front wheel or more

than 900 millimetres to the rear of the axle centre of the rear wheel or more than 450 millimetres on either side of the wheels of such cycle, or more than 300 millimetres to the outside of the wheel of any side-car: Provided that the provisions of this regulation shall not apply in respect of any side mirror or crash bar. (Regulation 228 substituted by regulation 18 of Government Notice R589 of 2009)

311. Riding on pedal cycles

- (1) No person shall ride a pedal cycle on a public road unless he or she is seated astride on the saddle of such pedal cycle.
- (2) Persons riding pedal cycles on a public road shall ride in single file except in the course of overtaking another pedal cycle, and two or more persons riding pedal cycles shall not overtake another vehicle at the same time.
- (3) No person riding or seated on a pedal cycle on a public road shall take hold of any other vehicle in motion.
- (4) No person riding a pedal cycle on a public road shall deliberately cause such pedal cycle to swerve from side to side.
- (5) No person riding a pedal cycle on a public road shall carry thereon any person, animal or object which obstructs his or her view or which prevents him or her from exercising complete control over the movements of such pedal cycle.
- (6) A person riding a pedal cycle on a public road shall do so with at least one hand on the handle-bars of such pedal cycle.
- (7) Whenever a portion of a public road has been set aside for use by persons riding pedal cycles, no person shall ride a pedal cycle on any other portion of such road.
- (8) A person riding a pedal cycle on a public road or a portion of a public road set aside for use by persons riding pedal cycles, shall do so in such manner that all the wheels of such pedal cycle are in contact with the surface of the road at all times.

323. Special provisions relating to freeways

- (1) No person shall operate on a freeway – (b) a pedal cycle
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WESTERN CAPE PROVINCIAL LEGISLATION

This legislation relates only to the Western Cape and outlines the duties of motorists (e.g. the 1m passing rule) and cyclists (e.g. riding in single file and to the left of the road edge) and rules regarding cycle safety (e.g. lights and reflectors)

Key points:

- Motorists may not come closer than 1 meter to a cyclist
- Cyclist may NOT ride abreast of another cyclist unless overtaking
- Bicycles must have lights on, front and back, between sunset and sunrise
- Bicycles must have front and rear reflectors

20 November 2013

WESTERN CAPE PROVINCIAL ROAD TRAFFIC ADMINISTRATION ACT, 2012 (ACT 6 OF 2012): SAFETY OF CYCLISTS REGULATIONS, 2013

The Provincial Minister of Transport and Public Works in the Western Cape, under section 8(1)(c) of the Western Cape Provincial Road Traffic

Administration Act, 2012 (Act 6 of 2012), has made the regulations set out in the Schedule.

SCHEDULE

Definitions

1. In these regulations, any word or expression defined in the National Road Traffic Act, 1996 (Act 93 of 1996), or the Western Cape Provincial Road

Traffic Administration Act, 2012 (Act 6 of 2012), has the same meaning and, unless the context indicates otherwise— “cyclist” means a person who rides or attempts to ride a pedal cycle; “National Regulations” means the National Road Traffic Regulations, 2000; “pedal cycle lane” means any area forming part of a public road and which has been designated by the appropriate road traffic sign or road marking for the exclusive use of cyclists.

Duties of driver of motor vehicle when passing cyclists

2. (1) The driver of a motor vehicle who passes a cyclist on a public road must—
 - (a) exercise due care while passing the cyclist;
 - (b) leave a distance between the motor vehicle and the cyclist of at least one metre; and
 - (c) maintain that distance from the cyclist until safely clear of the cyclist.

(2) Despite any solid barrier line or other road traffic sign prohibiting encroachment upon the right-hand side of the road, the driver of a motor vehicle on a public road may, where the roadway is not wide enough to comply with subregulation (1)(b) or (c) when passing a cyclist, encroach on that part of the road to his or her right, but only if—

- (a) it can be done without obstructing or endangering other persons or vehicles;
- (b) it is safe to do so; and
- (c) it can be done and is done for a period and distance not longer than is necessary to pass the cyclist.

Duties of cyclists

3. (1) A cyclist riding on a public road must—

- (a) if the road has a pedal cycle lane, ride only in the pedal cycle lane and may not ride on any other portion of a public road except when crossing the road; or
- (b) if there is no pedal cycle lane, ride—
 - (i) to the left of the left edge of the roadway; or
 - (ii) on the roadway, keeping as close as practicable to the left edge of the roadway.

(2) When riding on a public road, a cyclist must—

- (a) give conspicuous driving signals as contemplated in regulation 300 and Part II of Chapter X of the National Regulations; and
- (b) stop in the circumstances contemplated in regulation 307 of the National Regulations.

(3) A person may not ride a pedal cycle on a public road—

- (a) on the right-hand side of a motor vehicle proceeding in the same direction, except when passing that motor vehicle or turning right at an intersection;
- (b) abreast of another cyclist proceeding in the same direction, except when passing that cyclist;
- (c) while wearing a headset, headphones or any listening device other than a hearing aid; or
- (d) while carrying another person on the pedal cycle, unless that pedal cycle is specifically equipped to carry more than one person.

(4) A cyclist must exercise due care while—

- (a) passing a motor vehicle or turning right in the circumstances described in subregulation (3)(a); or
- (b) passing another cyclist in the circumstances described in subregulation (3)(b).

Lamps and reflectors on pedal cycles

4. (1) A person may not ride a pedal cycle on a public road or pedal cycle lane during the period between sunset and sunrise unless—

- (a) the pedal cycle is fitted in the front with a head lamp capable of emitting a white light in accordance with regulations 158 and 178 of the National Regulations;
- (b) the pedal cycle is fitted at the rear with a rear lamp capable of emitting a red light in accordance with regulations 158 and 178 of the National Regulations; and
- (c) the head lamp and rear lamp are kept lighted.

(2) A person may not ride a pedal cycle on a public road or pedal cycle lane at any other time when, due to insufficient light or unfavourable weather conditions, persons or vehicles on the public road or pedal cycle lane are not clearly discernible at a distance of 150 metres, unless the head lamp and rear lamp are kept lighted.

(3) A person may not ride a pedal cycle on a public road or pedal cycle lane unless—

- (a) the pedal cycle is fitted on the front with a white retro-reflector in accordance with regulation 186(3) of the National Regulations; and
- (b) the pedal cycle is fitted on the rear with a red retro-reflector in accordance with regulation 187(4) of the National Regulations.

Races and sporting events for cyclists on public roads

5. The Minister or the local authority concerned, as the case may be, may, in granting consent in terms of regulation 317(2) of the National Regulations in respect of a pedal cycle race or pedal cycle sporting event on a public road, exempt any person, or category of persons, taking part in that race or event from any provision of these regulations.

Offences and penalties

6. Any person who contravenes or fails to comply with any provision of these regulations commits an offence, and on conviction is liable to a fine or to imprisonment for a period not exceeding one year.

Short title

7. These regulations are called the Safety of Cyclists Regulations, 2013.