

No. 39 of 1974

AN ORDINANCE

To amend the *Traffic Ordinance 1937-1966*.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1973*.

Dated this first day of October, 1974.

JOHN R. KERR
Governor-General.

By His Excellency's Command,

GORDON M. BRYANT
Minister of State for the Capital Territory.

TRAFFIC ORDINANCE 1974

1. (1) This Ordinance may be cited as the *Traffic Ordinance 1974*.* Short title and citation.

(2) The *Traffic Ordinance 1937-1966*† is in this Ordinance referred to as the Principal Ordinance.

(3) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Traffic Ordinance 1937-1974*.

2. Section 4 of the Principal Ordinance is amended— Definitions.

(a) by inserting after the definition of "bicycle" the following definition:—

“ ‘bicycle path’ means a path declared by the Minister by notice published in the *Gazette* to be a bicycle path for the purposes of this Ordinance;” and

(b) by omitting from the definition of "the Motor Traffic Ordinance" the words and figures "*Motor Traffic Ordinance 1936-1964*" and substituting the words and figures "*Motor Traffic Ordinance 1936-1974*".

* Notified in the *Australian Government Gazette* on 3 October 1974.
† Ordinance No. 32, 1937, as amended by No. 3, 1944; No. 2, 1955; [No. 12, 1960; No. 9, 1964; and No. 19, 1966.

3. Section 8 of the Principal Ordinance is repealed and the following sections are substituted:—

Vehicles, &c.,
not to be
driven on
footpaths.

“ 8. (1) In this section, ‘footpath’ does not include an entrance-
driveway leading from the carriage-way of a public street to a parcel
of land.

“ (2) A person shall not—

- (a) drive, ride or wheel a vehicle, other than a bicycle; or
- (b) drive, ride or lead an animal,

on a footpath.

Penalty: \$40.

“ (3) A person shall not ride a bicycle upon any part of a foot-
path that is between two signs erected upon the footpath in pursuance
of section 8B.

Penalty: \$40.

“ (4) It is a defence to a prosecution for an offence against sub-
section (2) if the defendant proves that the act alleged to constitute the
offence was done with lawful authority.

Use of
bicycle paths
restricted to
cyclists.

“ 8A. A person who—

- (a) walks upon a bicycle path except for the purpose of cross-
ing the path or mounting, or dismounting from, a bicycle;
- (b) rides or drives a vehicle, other than a bicycle, or a motor
vehicle upon a bicycle path; or
- (c) drives, rides or leads an animal upon a bicycle path,

is guilty of an offence.

‘No Bicycles’
signs.

“ 8B. (1) The Minister may authorize the erection upon a footpath
of signs bearing the words ‘No Bicycles’.

“ (2) The Minister may at any time revoke an authority relating
to a sign referred to in sub-section (1) and, where the authority is re-
voked, the Minister shall cause the sign to be removed.

“ (3) Evidence that, at a particular time, a sign bearing the words
‘ No Bicycles ’ was erected upon a footpath is evidence that the erection
of the sign was authorized by the Minister and that the authority had
not, at that time, been revoked.

Bicycle not
to be ridden
within 10
metres of
shop.

“ 8C. (1) Subject to sub-section (2), a person shall not ride a
bicycle within 10 metres of an entrance to a shop at a time when that
shop is open for the sale of goods to the public.

Penalty: \$40.

“ (2) Nothing in sub-section (1) prohibits the riding of a bicycle
upon a public street or a bicycle path.”.

Application
of provisions
of the Motor
Traffic
Ordinance.

4. Section 25 of the Principal Ordinance is amended—

- (a) by omitting sub-section (1) and substituting the following
sub-section:—

“ (1) Subject to this Ordinance, the provisions of Part
VIII (other than sub-section 113 (2) and section 134),
Part X (other than sections 150, 159, 160 and 161) and

section 190 of the Motor Traffic Ordinance apply to a person who drives a vehicle or rides a bicycle or an animal as if the person were the driver of a motor vehicle.”;

- (b) by omitting from paragraph (c) of sub-section (2) the words and letter “section fifty-six L” and substituting the word and figures “section 125”; and
- (c) by inserting, after sub-section (2), the following sub-section:—

“ (2A) For the purpose of sub-section (1), a bicycle path shall be taken to be a public street within the meaning of the Motor Traffic Ordinance.”.

5. The Principal Ordinance is amended as set out in the Schedule. Further amendments.

SCHEDULE

Section 5.

AMENDMENTS OF THE PRINCIPAL ORDINANCE

Section amended	Amendment
9	After the words “ public street ”, insert the words “ or bicycle path ”.
10	After the words “ public street ”, insert the words “ or bicycle path ”.
11	After the words “ public street ”, insert the words “ or bicycle path ”.
13	After the words “ public street ”, insert the words “ or bicycle path ”.
30	After the words “ public street ” (wherever occurring), insert the words “ or bicycle path ”.