

1989  
THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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Presented, 28 September 1989

(Minister for Housing and Urban Services)

**Traffic (Amendment) Bill 1989**

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**A BILL**

FOR

**An Act to amend the *Traffic Act 1937***

The Legislative Assembly for the Australian Capital Territory enacts as follows:

**Short title**

1. This Act may be cited as the *Traffic (Amendment) Act 1989*.

5 **Principal Act**

2. In this Act, "Principal Act" means the *Traffic Act 1937*.<sup>1</sup>

**Interpretation**

3. Section 4 of the Principal Act is amended—
  - 10 (a) by omitting the definition of "bicycle path";
  - (b) by omitting "driving a vehicle and includes any person riding a bicycle" from the definition of "driver" and substituting "driving or riding a vehicle";

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- (c) by inserting " 'pedestrian', 'pedestrian crossing'," after " 'off-street parking area'," in the definition of "inspector" and other expressions;
- (d) by omitting "and 'traffic sign'" from the definition of "inspector" and other expressions and substituting " , 'traffic sign' and 'wheelchair' ";
- (e) by omitting the definition of "pedestrian"; and
- (f) by omitting the definition of "vehicle" and substituting the following definition:

" 'vehicle' means—

- (a) a bicycle; and
- (b) a carriage drawn by an animal."

#### Substitution

4. Section 5 of the Principal Act is repealed and the following section substituted:

#### Walking or moving about without due care

"5. A person shall not—

- (a) walk upon a public street; or
- (b) use a wheelchair upon a public street;

without due care and attention or without reasonable consideration for other persons using the street.

Penalty: \$100."

#### Substitution

5. Sections 12 and 13 of the Principal Act are repealed and the following section is substituted:

#### Attachment of cyclists to vehicles

"12. (1) The driver of a vehicle or motor vehicle shall not knowingly permit—

- (a) a person riding a bicycle to be attached to the vehicle; or
- (b) a bicycle being ridden by a person to be attached to the vehicle; while the vehicle is in motion upon a public street.

"(2) A person riding a bicycle upon a public street shall not remain attached, or permit the bicycle to remain attached, to a vehicle or motor vehicle while the vehicle is in motion.

Penalty: \$100."

#### Further amendments

6. The Principal Act is amended as set out in the Schedule.

**SCHEDULE**

Section 6

**FURTHER AMENDMENTS**

**Subsection 7 (1)—**

Omit “, bicycle”.

**Section 8A—**

Repeal the section.

**Subsection 8C (2)—**

Omit “or a bicycle path”.

**Section 9—**

Omit “or cycle path”.

**Section 10—**

Omit “or bicycle path”.

**Section 11—**

Omit “or bicycle path”.

**Subsection 15 (3)—**

Omit the subsection.

**Section 21—**

Omit “(including a motor vehicle), bicycle”, substitute “, motor vehicle”.

**Section 24—**

Omit “or bicycle”.

**Subsection 25 (1)—**

Omit “a bicycle or”.

**Subsection 25 (2)—**

Omit “the last preceding sub-section”, substitute “subsection (1)”.

**Paragraph 25 (2) (b)—**

Omit “, bicycle”.

**Subsection 25 (2A)—**

Omit the subsection.

**Subsection 25 (3)—**

Omit “a bicycle or animal”, substitute “an animal”.

**Subsection 26 (1) (definition of “pedestrian crossing”)—**

Omit the definition.

## SCHEDULE—continued

**Subsection 26 (2)—**

Omit “step”, substitute “move”.

**Subsection 26 (5)—**

Omit the subsection.

**Paragraph 28 (1) (b)—**

- (a) Omit “(including a motor vehicle), bicycle”, substitute “, motor vehicle”.
- (b) Omit “the vehicle, bicycle” (wherever occurring), substitute “the vehicle, motor vehicle”.

**Paragraph 28 (1) (d)—**

- (a) Omit “(including a motor vehicle), bicycle”, substitute “, motor vehicle”.
- (b) Omit “the vehicle, bicycle”, substitute “the vehicle, motor vehicle”.

**Subsection 28B (1)—**

Omit “other” (second occurring).

**Subsection 29 (1)—**

Omit “any vehicle”, substitute “a vehicle, other than a bicycle.”.

**Subsection 29 (2)—**

Omit “a vehicle” (first and second occurring), substitute “a vehicle, other than a bicycle.”.

**Section 30—**

Omit “or bicycle path”(wherever occurring).

**Subsection 32 (1)—**

- (a) Omit “(including a motor vehicle), bicycle”, substitute “, motor vehicle”.
- (b) Omit “another vehicle, bicycle”, substitute “another vehicle”.
- (c) Omit “lastmentioned vehicle, bicycle”, substitute “lastmentioned vehicle”.

**Paragraph 32 (1) (a)—**

Omit “, bicycle”.

**Subparagraph 32 (1) (b) (i)—**

Omit “bicycle”, substitute “motor vehicle”.

**Paragraph 32 (1) (b)—**

Omit “owner of the vehicle, bicycle”, substitute “owner of the vehicle”.

**SCHEDULE—continued**

**Section 33—**

Omit “, bicycle” (wherever occurring).

**Subsection 35 (1)—**

Omit “, bicycle” (wherever occurring).

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**NOTE**

1. Ordinance No. 32, 1937 as amended by No. 3, 1944; No. 2, 1955; No. 12, 1960; No. 9, 1964; No. 19, 1966; No. 39, 1974; Nos. 64 and 65, 1977; No. 3, 1978; No. 9, 1981; No. 12, 1982; Nos. 2 and 43, 1984; No. 74, 1986; No. 19, 1987; No. 68, 1988; Nos. 21 and 38, 1989.