

**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(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 cyclist**

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).

Other laws passed include:

### **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.