

New Cycling Laws

Frequently Asked Questions



No matter how you travel, getting there safely is the most important part

People riding bicycles have less protection than drivers and are more likely to be injured if a crash happens. Therefore, they need adequate space to be safe when being passed by motor vehicles. Also, people are more likely to ride a bicycle on the footpath for a short distance when the road is considered unsafe, but were typically committing an offence by doing so.

What are the changes?

Minimum passing distance

From 25 October 2015, when you are driving, you must stay wider of the rider by giving:

- A minimum of 1 metre when passing a person riding a bicycle in a 60k/h or less speed zone; and
- 1.5 metres where the speed limit is over 60k/h.

Cycling on footpaths

People of all ages will be permitted to ride a bicycle on footpaths unless a sign is posted that specifically prohibits doing so.

How did the changes come about?

These changes were outlined in the *South Australian Government response to the Citizens' Jury Report on Sharing the Roads Safely*, released by the Premier on 22 January 2015.

DPTI undertook consultation on the legislative detail for the two proposals, which ran from 4 – 20 March 2015. Over 1 500 submissions were received from the general public and stakeholder organisations. Not all respondents commented on both proposals.

- Minimum overtaking distance: 73% of respondents supported and 18% of respondents did not support the proposal to define a minimum overtaking space between a vehicle and a cyclist which included the ability for motorists to cross dividing lines, straddle lane lines, etc.
- Cycling on footpaths: 71% of respondents supported and 27% did not support allowing all-age cycling on footpaths.

Further information

Call 1300 872 677

Email dpti.communityrelations@sa.gov.au



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Safe passing distance

What did the previous regulation require?

The previous requirement for passing a vehicle (which includes a bicycle) is in rule 144 of the Australian Road Rules, which required a driver to keep a sufficient distance when overtaking a vehicle to avoid a collision.

What is the change?

Rule 144 will continue to apply but an additional provision has been created to require a person driving to keep a minimum of one metre from a person on a bicycle when passing and 1.5 metres where the speed limit is over 60k/h.

How does this rule compare with other states?

Minimum safe overtaking distance is currently required in Queensland, and it is being considered for introduction in the ACT, Victoria and Western Australia.

Does the minimum passing distance apply to all motor vehicles?

Yes, the rule applies to all types of motor vehicles, including cars, motorbikes, trucks and buses when passing a person riding a bike.

When does the minimum passing distance apply?

The rule applies whenever a person driving is passing a person riding a bicycle in the same direction. It does not apply when you are travelling in opposite directions on opposite sides of the road.

How will the new rule be enforced?

The South Australian Police will enforce the minimum passing distance as part of ongoing enforcement of road rules.

How is the passing distance measured?

The passing distance is measured from the right most part of the bicycle or its trailer (including any basket or panniers) to the leftmost part of the motor vehicle, or something projecting from the motor vehicle (e.g. a side mirror).

Can I cross centre lines when I am driving to pass a person on a bicycle?

To assist with compliance of this requirement a driver is permitted to:

- drive to the right of the centre of the road
- drive to the right of the dividing line
- drive on a dividing strip that is at the same level as the road
- drive on or over continuous lines around a painted island
- straddle lanes
- move across lanes
- drive not completely in a single line of traffic

but only if the driver has a clear view of any approaching traffic and can do so safely.

What should I do if I can't give the minimum safe passing distance?

Drivers will need to check their surroundings to ensure it is safe before indicating and passing the cyclist, leaving at least the minimum distance. If it is not safe, they will need to slow down, be patient and wait until it is safe to pass.

Does the minimum passing distance apply when the person I am passing is cycling in a bicycle lane?

Yes. If you are driving, you must keep the appropriate minimum safe distance when passing a person riding a bicycle to your left in a bicycle lane.

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What if a person driving is stopped and a person cycling pulls up alongside the motor vehicle within the minimum passing distance?

If a motor vehicle is stopped, for example at traffic lights or in a line of traffic, and a person on a bicycle stops beside it within the minimum passing distance, the driver of the stopped motor vehicle will not be committing an offence.

When the traffic starts moving, and the person cycling is likely to ride ahead, the driver can only pass when they can safely leave the minimum passing distance.

What happens if I am driving and need to pass two people cycling beside each other?

You will need to apply the appropriate minimum passing distance to the cyclist furthest to the right.

When cycling, you may ride side by side on a road as long as you are not more than 1.5 metres apart.

What happens if a person cycling moves closer to the person trying to drive around them to pass?

The regulatory change is intended to improve safety by providing more space for everyone – particularly in the event a person on a bicycle has to move suddenly to avoid a hazard or falls in to the path of an approaching motor vehicle.

What is the fine?

The penalty for drivers is \$287 fine + \$60 victims of crime levy, and 2 demerit points.

The penalty is set at the same amount as the offence of unsafe overtaking of a vehicle.

Other offences incurring a similar penalty are: failure to keep left, failure to give way to pedestrian in a shared zone, and using a mobile phone while driving.

Riding on footpaths

What did the previous regulation allow?

Previously, only people aged 18+ riding with a child under 12yo were allowed to ride on the footpath, or if the person held a medical exemption which permitted them to ride on the footpath.

What is no longer illegal after the change?

From October 25th, everyone can ride on the footpath or on the road. When riding in a pedestrian area (footpath or shared use path), you are required to keep left and give way to any and all pedestrians. Some footpaths may be signed "no bikes" on a sign pole or path marking, in which case you must use the road instead.

How does this rule compare with other states?

In addition to South Australia, all-age cycling on footpaths is currently allowed in Queensland, Tasmania, the Australian Capital Territory and the Northern Territory.

Is it safe for people to ride on footpaths?

People are more likely to ride on the footpath where the road is considered unsafe or inconvenient (one-way streets for example) rather than for the entire trip. Experience elsewhere suggests that riding on the footpath does not increase crash risk and that cyclists are more careful of pedestrians and travel more slowly on footpaths than on shared paths.

Will footpaths be marked with lanes separating bicycles from pedestrians?

No, because people walking would be restricted to using half the footpath and commit an offence under rule 239 if they strayed into the part designated for the use of bicycles.

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What protections are there for people walking?

There are already protections in the Australian Road Rules for people walking and these will remain.

When riding on a footpath or shared path, a person riding a bicycle must:

- keep to the left unless it is impracticable to do so,
- give way to any person walking on the footpath or shared path,
- ring a bell or provide a verbal warning to alert people walking, if necessary, to avert danger. This could be just a friendly “hello” to make sure the person walking is aware that you are nearby; and
- exercise due care by travelling at a safe speed a being prepared to stop, if necessary.

Under the Australian Road Rules, when you are riding a bicycle, you can be charged with an offence in the same way as when you are driving a motor vehicle. This includes demerit points against your driver’s license if you hold one or can prohibit you from obtaining a licence in the future.

In conditions of low light, a person riding a bicycle is required to display a white light to the front and a red light and reflector to the rear, so you can be seen by other road and path users.

If there is a marked bicycle lane on the road, do I have to ride in it?

No, not if you are cycling on a footpath or shared use path. If you are riding a bicycle on the road and a bicycle lane is provided, you are required to use it during its hours of operation.

Is a bicycle required to have a bell?

Yes, every bicycle must have within easy reach a functioning warning device, such as a bell or a horn.

Which paths are you not allowed to ride on?

You are not allowed to ride your bike on a path signed ‘no bicycles’. The sign could be marked on the pavement or on a sign post.

Councils are able to erect signs prohibiting bicycle riding on footpaths which are considered unsuitable for shared use. Under rule 252 of the Australian Road Rules, it is an offence for a cyclist to ride where such a sign applies

What is the rule for backing out or turning in to driveways?

A driver entering a road from private land or a car park etc must give way to anyone using the footpath – pedestrians and cyclists. A driver must also give way to footpath users when turning into private land

More Information

Educational videos showing the changes can be found online. See: mylicence.sa.gov.au

The [Cycling and the Law Handbook](#) is a comprehensive guide to all the road rules that apply to cyclists.

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