

Hon. Mr. Ward.

CYCLE TRAFFIC.

ANALYSIS.

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A BILL INTITULED

AN ACT to provide for the Formation and Maintenance of Cycle Tracks, and the Regulation of the Cycle Traffic. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Cycle Traffic Act, 1898," and it shall come into operation on the *first* day of January, one thousand eight hundred and ninety-nine. Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.

"Cycle" means bicycle and tricycle, kept for use within the cycle area, but shall not include new machines kept in stock for purposes of sale:

"Cycle area" means an area within a radius of seven miles from the post-office in any of the places mentioned in the first schedule hereto, and in the event of there being two or more post-offices in any one of such places, from the chief post-office in such place, and a radius of three miles from any of the places mentioned in the *Second* Schedule:

"Local authority" means the Municipal authority, Town Board, Road Board, or other authority exercising jurisdiction at each of the places mentioned in the *First* Schedule:

"Cycle owner" shall mean not only the person reputed to be the owner of a cycle, but also the householder in, about, or upon whose premises a cycle has been kept for a period of more than ten days, but shall not include a person who has not dwelt within the cycle area for a greater period than one month:

"Special resolution" shall have the same meaning as under "The Companies Act, 1882":

"Registration plate" means a metal plate not exceeding two inches in depth, and of sufficient length to pass round the head of the cycle, having stamped upon it the cycle area, the registered number of each cycle owner, and the year; the plate is to be supplied annually by the local authority, and is to be fixed securely in front of the cycle immediately above the fork. 5

Petition by cycle owners.

3. Upon a petition signed by the cycle owners residing in any cycle area, the Governor may by Order in Council declare this Act to be in force within such cycle area. Such Order shall be published in the *New Zealand Gazette*, and shall name a day not being later than one month from the date of such Order, thereupon the Act shall after such date come into operation throughout such cycle area. Such petition shall be signed at least by the minimum number of cycle owners set opposite the names of each place in the schedules but shall not be signed by cycle owners who are under the age of eighteen years. 10 15

Clubs may sign by officers.

4. The members of cycle clubs and associations may sign by their president, vice-president, secretary or any member of the committee or council, provided that such club or association has first passed a special resolution authorising one of their officers to sign such petition. Thereupon the signature of such officer to the petition shall have the same force as if it were signed by the individual members of the club or association. The officer signing such petition on behalf of the club or association shall attach thereto a declaration stating the number of the *bona fide* members of such club or association; that he is authorised to sign on behalf of such club or association; and that a special resolution authorising him to sign such petition has been duly passed by the members of the said club or association. 20 25 30

Operation of Act.

5. Upon the coming into operation of this Act within any cycle area the following consequences shall ensue:—

- (1.) All cycle owners shall register their names and addresses with the local authority within one month from the Act coming into operation. 35
- (2.) The local authority shall levy a rate upon each cycle belonging to any cycle owner of not more than five shillings per annum upon each cycle.
- (3.) Such rate shall be struck therein by the local authority at a date not later than three months from the time of the Act coming into force in such cycle area, and shall expire at the 31st December of the first year in which it is struck; the rate shall be struck thereafter annually, and shall, after the first year, be for a period of twelve months, expiring upon the 31st December of each year. 40 45
- (4.) The rate shall become due and payable and shall be paid within fourteen days of the local authority notifying by one or more advertisements published in one or more of the newspapers circulating over such cycle area that such rate has been struck, and such rate shall be paid at the place and to the person or persons named in such advertisement 50

- 5 (5.) No cycle owner shall after the striking of the said rate sell or transfer a cycle to any person for use within the cycle area, without he hands over to such buyer the receipt of the local authority for the said rate for the year and the registration plate to be supplied by the local authority as proof of registration.
- 10 (6.) No person shall buy, after the said rate has been struck, any cycle unless the registration plate issued by the local authority is handed to him as proof that the said rate has been duly paid in respect of such cycle.
- (7.) No cycle owner shall use or have in his possession a cycle, unless the registration plate is fixed upon the same, in the prescribed place.
- 15 (8.) No person shall be in possession of a cycle within the cycle area ten days after the striking of the said rate unless the rate thereon has been duly paid.

20 6. The local authority may supply persons who deal in cycles with registration plates upon such terms as they consider fit ; and such persons shall collect the rate at the time of selling any cycle, and shall within forty-eight hours of such sale pay over to such local authority the said rate and give particulars of the said cycle, the name, address and occupation of the buyer.

Local authority may supply registration plates to dealers.

25 7. The proceeds of the said rate shall be set aside by the local authority, and shall not form part of the general funds of the said local authority ; but after deducting reasonable charges for administration shall be devoted by the local authority to making and forming from time to time tracks for the use of cyclists in any portion of the cycle area to which the public have access, and so that as far as possible provision shall be made for keeping the cycle traffic on separate tracks, and apart from the ordinary vehicular traffic.

Rate to be devoted to improving cycle tracks.

30 8. The local authority may construct the cycle tracks in any manner they consider fit ; but shall only enter upon road or land to construct or maintain such tracks vested in any other local authority with the consent of such local authority, and nothing in this Act contained shall derogate from the right of any other local authority to forbid any interference with the roads under their jurisdiction. The local authority within the cycle area shall maintain all cycle tracks within the cycle area in good order and condition.

Local authority may construct tracks.

GENERAL.

40 9. The Governor in Council may at any time, upon petition from not less than one-half of the residents of any place not mentioned in the schedules hereto, add the name of such place to those mentioned in the schedules, or may transfer any place from one schedule to the other, and may define the cycle area of any new district, and may prescribe the minimum number of cycle owners upon whose petition the Act shall come into force in such new district.

Governor may declare new districts.

45 10. The absence of a plate from the prescribed position on a cycle shall be *prima facie* evidence that such machine is not registered.

Absence of the registration plate *prima facie* evidence of non-registration.

50 11. The local authority shall have power to make by-laws necessary to carry out the provisions of this Act, and, amongst others, the

By-laws.

procedure to be adopted for registration of cycles and cycle owners ; for fixing the part of the cycle upon which the registered number is to be placed, and for deciding the style and form of the plate carrying such number ; for regulating the cycle traffic within the cycle area ; for closing any track within the cycle area ; and for fixing a maximum pace at which cycles may be propelled along the said tracks or any portion of them. 5

Sections 340, 341, 342, 345, 346, "Municipal Corporations Act, 1896," incorporated.

12. Such by-laws shall be good and valid, if made in the same manner as prescribed in the Municipal Corporations Act. For the purposes of this Act, sections three hundred and forty, three hundred and forty-one, three hundred and forty-two, three hundred and forty-five, three hundred and forty-six of "The Municipal Corporations Act, 1896," *mutatis mutandis*, shall be deemed to be incorporated herein. 10

Lighted lamps to be carried between sunset and sunrise.

13. During the period between sunset and sunrise every person shall, whilst riding or being on a cycle upon any road or public place, carry attached to the cycle a lighted lamp, which shall be so constructed and placed as to exhibit a white light in the direction in which he is proceeding, such light being sufficiently clear and strong to afford adequate means of signalling the approach or position of the cycle. 15

Declarations may be made before a solicitor or Justice of the Peace.

14. Any declaration under this Act may be made before a solicitor or Justice of the Peace, and any false declaration may be punished either as an offence under this Act, or as an offence under section one hundred and sixteen of "The Criminal Code, 1893." 25

Rangers may be appointed.

15. The local authority may appoint rangers to see that the provisions of this Act are carried out, and any prosecution hereunder may be commenced by the said local authority, or any ranger.

Penalties.

16. Any person contravening any of the sections of this Act shall be guilty of an offence, and upon summary conviction thereof shall be liable to a penalty not exceeding *five* pounds. 30

Schedules.

SCHEDULES.

FIRST SCHEDULE.

Auckland ...	... 250	Reefton ...	... 100	Timaru ...	... 100
Napier ...	... 100	Nelson ...	... 150	Oamaru ...	... 100
Wanganui ..	... 100	Greymouth ...	... 100	Invercargill ...	... 150
Palmerston North ...	... 100	Christchurch ...	... 500	Masterton ...	... 100
Wellington ...	... 250	Ashburton ...	... 100	New Plymouth ...	... 100
Dunedin ...	... 250				

SECOND SCHEDULE.

Gisborne ...	... 100	Rangiora ...	... 100	Blenheim ...	... 100
Thames ...	... 100	Hokitika ...	... 100	Kaipoi ...	... 100
Stratford ...	... 100	Greytown ...	... 100	Gore ...	... 100
Westport ...	... 100				