

CHAPTER 178

BICYCLES

AN ACT TO PROVIDE FOR THE REGULATION AND IDENTIFICATION
OF BICYCLES*Ordinance No. 23 of 1939*

[1st January, 1940.]

Short title

1. This Act may be cited as the Bicycles Act.

Power to make regulations

2. The Minister may make regulations for the registration and identification of bicycles and for the better prevention and detection of theft or of other dishonest or fraudulent dealing with bicycles, and in particular and without prejudice to the foregoing may make regulations—

Registration and marking of bicycles

- (a) prescribing the method of registration and marking of bicycles and fees payable therefor, appointing registering authorities, prescribing the period of registration, and the form of register and the places where registration shall be effected;

Registration of cycle dealers, hirers and repairers

- (b) for the registration and licensing of persons carrying on the business of cycle dealer, hirer or repairer, for the refusal of, cancellation and suspension of such licences, for appointing the office of registration, prescribing the form of licence and the fees payable therefor, and providing for the keeping of records of bicycles let out on hire;

Seizure, detention and disposal of bicycles

- (c) for the seizure, detention and disposal of bicycles in respect of which a breach of any regulation made hereunder has been or appears to have been committed;

Use of bicycles

- (d) prescribing the conditions under which bicycles may be used;

Exemptions

- (e) exempting any person or class of persons or any bicycle or class of bicycles from the provisions of any regulation made hereunder;

Penalties

- (f) fixing penalties not exceeding imprisonment for three months or a fine of forty dollars or both for the breach of any regulations made hereunder.

Exemption of motor cycles

3. Nothing in this Act shall apply to motor cycles.

Controlled by Ministry of Tourism, Transport and Civil Aviation

CHAPTER 178

BICYCLES

SECTION 2.—BICYCLES REGULATIONS

*Regulations 7th Dec., 1939 [in force 15th Dec., 1939],
23rd Jan., 1941, 8th May, 1957, 26th June, 1958,
26th Feb., 1963, 18th Dec., 1974*

Made by the Governor in Council

Short title

1. These Regulations may be cited as the Bicycles Regulations.

One person only to ride

2. Not more than one person shall at any one time ride or be carried on any bicycle.

Front light

3. No person shall ride any bicycle during hours of darkness unless it has attached at the front thereof a lamp throwing in a forward direction a light substantially white in colour of sufficient brilliance to be visible under normal atmospheric conditions for a distance of at least 300 feet.

Rear light or reflector

4. No person shall ride any bicycle between the hours of sunset and sunrise unless either—

- (a) it is equipped with a lamp placed at the back of the bicycle so as to display and does display to the rear a red light of sufficient brilliance to be visible under normal atmospheric conditions for a distance of 300 feet; or

- (b) it is equipped with a red reflector of a make and type approved by the Director of Road Transport, by notice in the Gazette, and placed perpendicularly at the back of the bicycle so as to reflect to the rear a light shining towards it from rearward of the bicycle.

(Amended by Regulations 26th February, 1963.)

White surface at rear

5. No person shall ride any bicycle unless it displays to the rear a white surface of at least 12 square inches maintained in a clean condition at a place where such surface is not likely to be obscured from the rear by the rider or his clothes.

Brake

6. No person shall ride a bicycle unless it is equipped with at least one efficient brake attached thereto and operating on the rear wheel.

Bell

7. No person shall ride a bicycle unless it is equipped with a bell as a warning device attached thereto and capable of being readily operated so as to emit a sound clearly audible under normal conditions at a distance of not less than 100 feet.

Footpath, etc.

8. No person shall ride a bicycle on or along any footpath or footway.

Towing

9. No rider shall permit the bicycle to be towed by any other vehicle in motion on any road.

Registration

10. No person shall use a bicycle with wheels of a diameter greater than sixteen inches unless such bicycle is registered in accordance with the provisions of these Regulations. (*Amended by Regulations 26th February, 1963.*)

Unserviceable bicycle

11. If a registered bicycle is deemed unserviceable by a registering authority, such authority shall, at the request of the owner thereof, transfer the disc to an unregistered bicycle and register the same free of charge.

Transfer of ownership

12. If the owner of a registered bicycle transfers the ownership of a bicycle to any other person, he shall immediately report the fact of such transference together with the name and address of the transferee to the authority with whom the bicycle was registered and thereupon the bicycle shall be deemed registered in the name of the transferee.

Registration—how effected

13. The registration of a bicycle shall be effected in the following manner:—
- (a) the registering authority shall cause to be affixed to a conspicuous part of the bicycle a metal disc bearing the registered number;
 - (b) in addition to the affixing of such disc the registering authority shall enter in the bicycle register the name and address of the owner, the number of the disc issued, and the make and frame number of the bicycle.

Registering authority

14. The registering authority for the purpose of registering bicycles shall be the Director of Road Transport or any person authorised by him.
(*Substituted by Regulations 26th February, 1963.*)

Duration of registration

15. Registration shall expire on the thirty-first day of December in each year.

Transfer of disc

16. A registration disc shall not be removed from any registered bicycle or transferred from one registered bicycle to another except at the direction of a

registering authority. (*Amended by Regulations 26th February, 1963.*)

Lost disc, etc.

17. Should a registration disc become lost, or so damaged that any figure thereon becomes illegible, the owner shall apply to a registering authority for the issue of a new disc.

Numbering of replacement disc

18. Every disc issued in replacement of a lost or damaged disc shall bear a registration number different from that of the lost or damaged disc, and the entry in the register in respect of such lost or damaged disc shall be cancelled.

Tampering with disc

19. No person shall deface or in any way tamper with any figure on a registration disc.

Unauthorised disc

20. No disc other than that issued by a registering authority shall, except at his discretion, be affixed to any bicycle.

Fees

21. The following fees shall be payable for the registration of bicycles:—

	\$	c
(a) annual registration fee	1	00
(b) fee for replacement of lost or damaged disc	1	00

Provided that no fee shall be payable for the registration of bicycles belonging to the Crown or to any town.

(*Substituted by Regulations 18th December, 1974.*)

Dealer, etc., to be licensed

22. No person shall carry on business as a cycle dealer, cycle repairer, or hirer unless he is in possession of a licence in respect of each shop in which any or all of such businesses are being carried on:

Provided that no licence under this Regulation shall be required by the holder of a wholesale or retail licence carrying on any of the said businesses at the store specified in his wholesale or retail licence.

Licensing authority

23. The licensing authority for the purpose of granting licences under Regulation 22 shall be the Director of Road Transport or any person authorised by him.

Duration of licence

24. Such licence shall expire on the thirty-first day of December in each year, and such licence shall not be transferable. The fee payable for such licence shall be if within the city of Suva twenty dollars and in every other case ten dollars per annum. (*Amended by Regulations 18th December, 1974.*)

Form of licence

25. The form of such licence shall be as follows:—

FIJI

LICENCE TO CARRY ON BUSINESS AS A CYCLE DEALER,
CYCLE REPAIRER OR CYCLE HIRER

(Issued under the Bicycles Act and Bicycles Regulations)

Licence is hereby granted to _____ of _____
in the _____ Division, to carry on business as a
cycle dealer, cycle repairer or cycle hirer at
in the said Division from the
day of _____, 19 _____.

This licence is not transferable and expires on the thirty-first day of December,
19 _____.

This licence is issued in respect of the premises above described only.

Dated this _____ day of _____, 19 _____.

Fee \$20

\$10

Licensing Authority

Discretion as to issue of licence, etc.

26. The licensing authority may in its discretion refuse the issue or renewal of a licence to any person who has been convicted of any breach or attempted breach of these Regulations.

Register of dealers

27. There shall be kept by the licensing authority a register of all cycle dealers, repairers and hirers in the district licensed by such authority.

(Amended by Regulations 23rd February, 1963.)

Cycle hirer to keep register

28. Every person licensed under these Regulations as a cycle hirer shall keep a register and, prior to hiring any bicycle, shall enter in such register the following particulars:—

- (a) the registered number of the bicycle;
- (b) the name, address, description and occupation of the person to whom it is hired;
- (c) the date and hour of hiring;
and, on the return of such bicycle;
- (d) the date and hour of return.

Inspection of register

29. The register described in Regulation 28 shall be kept at all times accessible to the police for inspection.

Seizure of bicycle

30. Any police officer may seize and detain pending inquiry any bicycle in respect of which any breach or attempted breach of these Regulations appears to have been committed. Any bicycle so seized and detained remaining unclaimed for two months from the date of such seizure or detention shall thereafter be treated as unclaimed property and the provisions of section 25 of the Police Act shall apply to any unclaimed bicycle. (Cap. 85.)

Penalty

31. Any person convicted of a breach of these Regulations shall be liable on conviction to imprisonment for three months or to a fine of forty dollars or to both such imprisonment and fine.

Cancellation of licence, etc.

32. In addition to the penalties referred to in Regulation 31 the court may in the case of a cycle dealer, repairer or hirer, order the cancellation or suspension of his licence for such a period as it thinks fit.

Controlled by Ministry of Tourism, Transport and Civil Aviation