

Thank you for your enquiry about the road rules that apply to Minchinbury Terrace in Marion.

Please note that I am not permitted to give legal advice and the following is for general information only. For legal advice or more in-depth information, it would be best to consult a solicitor or the Legal Services Commission, Legal Help Line on 1300 366 424.

The symbols painted along Minchinbury Terrace are sharrows / shared lane markings. These are relatively new road markings in South Australia (intended to position cyclists away from parked cars, where doors often open); so educating your local community about their use and purpose would be valuable.

The City of Marion [Walking and Cycling Guidelines 2018-2022](#) has some notes on 'Green Streets' (e.g. pages 51 and 60). Minchinbury Terrace appears to be this kind of street. The council guidelines note that while the intent is to "prioritise walking and cycling over cars", that one disadvantage is the "Perception of cyclists having control of the street and potential conflict". If there is road user behaviour on the Terrace that you find concerning, I would also encourage you to get in touch with the City of Marion to discuss these.

Otherwise, I trust that the following is of some assistance:

ROAD RULES IN SOUTH AUSTRALIA

There is nothing in the [Australian Road Rules](#) which addresses behaviour on roads marked with these sharrow symbols, so the ordinary rules apply.

Also, while there is no 'right of way' under The Australian Road Rules, there are multiple duties that road users owe to each other (depending on the situation). This includes duties on giving way (part 7 of the Road Rules), keeping left / overtaking etc (part 11 of the Rules) and additional rules for bicycle riders (part 15).

While some rules address 'drivers' please note that each reference to a 'driver' includes a 'rider' (i.e. cyclist), unless the rule specifically states otherwise. So rule 129, for example ("A driver on a road (except a multi-lane road) must drive as near as practicable to the far left side of the road") would apply to cyclists as well.

There is an additional rule in South Australia, in regulation 11A of [the Road Traffic \(Road Rules—Ancillary and Miscellaneous Provisions\) Regulations 2014](#), which provides:

(1) Despite anything in rule 144, a driver of a motor vehicle driving past to the right of the rider of a bicycle travelling in the same direction as the driver must pass the bicycle at a sufficient distance from the bicycle.

Maximum penalty: \$2 500.

(2) In this regulation, unless the contrary intention appears—
sufficient distance, from a bicycle that is being passed by the driver of a motor vehicle, means—

- (a) if the speed limit... is not more than 60 kilometres per hour—... at least 1 metre; or
- (b) if the speed limit is more than 60 kilometres per hour—... at least 1.5 metres.

A more user friendly version of the Road Rules in South Australia can be found in the Drivers Handbook (which also addresses cyclists at page 90):

https://www.myllicence.sa.gov.au/_data/assets/pdf_file/0004/328504/MR200_Drivers_Handbook.pdf

SHARROWS / SHARED LANE MARKINGS

The purpose of the sharrows on Minchinbury Terrace is to assist cyclists with:

- lateral positioning on roads with on-street parallel parking in order to reduce the chance of being hit by an opening door of a parked vehicle.
- lateral positioning on roads that are too narrow for a motor vehicle and a bicycle to travel side by side in the same direction.
- navigating a designated bicycle route.

These sharrows are also intended to:

- Alert road users that they are on a designated bicycle route.
- Alert road users of the lateral location cyclists are likely to occupy within the roadway.
- Encourage safe passing of cyclists by motorists.

Further details on the use of these markings are available in Operational Instruction 9.4, published by the Department for Infrastructure and Transport:

https://dit.sa.gov.au/_data/assets/pdf_file/0017/170090/DOCS_AND_FILES-9620559-v1-DOCS_AND_FILES-9519474-v5-Traffic_Management_-_AS1742_9_-_Operational_Instruction_9_4_-_Advisory_Bicycle_Pavement_Symbol_Treatments_Shar.PDF

Your efforts to educate your local community in the interest of road safety are appreciated and I wish you all the best with it.

Kind regards,

Jana Pickering

Legal Services Officer

Legal and Statutory Services

Department of Planning, Transport and Infrastructure