

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5043 GIBRALTAR Thursday 30th March 2023

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LEGAL NOTICE NO. 78 OF 2023

## TRAFFIC ACT 2005

### CONTROL OF TRAFFIC (AMENDMENT) REGULATIONS 2023

In exercise of the powers conferred on it by sections 76 and 89 of the Traffic Act 2005, and all other enabling powers, the Government has made the following Regulations-

#### **Title.**

1. These Regulations may be cited as the Control of Traffic (Amendment) Regulations 2023.

#### **Commencement.**

2. These Regulations come into operation on the day of publication.

#### **Amendment to the Control of Traffic Regulations.**

- 3.(1) The Control of Traffic Regulations are amended in accordance with this regulation.

(2) In regulation 2-

- (a) insert the following definition after the definition for "central reservation"-

““contraflow cycle lane” means a single lane cycle lane which authorises persons travelling on a bicycle or personal light electric transporter to proceed in the opposite direction to the usual direction of traffic on that carriage way;

- (b) insert the following definition after the definition for "crossing"-

“cycle lane” means part of a carriage way of a road reserved for bicycles and personal light electric transporters which is separate from the rest of the carriageway and is demarcated using traffic signs and road lines and markings;”.

- (3) Insert the following after regulation 42-

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*Cycle lanes.*

**Cycle lanes.**

42A.(1) A person travelling on a bicycle or personal light electric transporter on a cycle lane must do so in accordance with the traffic signs and road lines and markings used to demarcate that cycle lane.

(2) A person who fails to comply with the provisions of this regulation is guilty of an offence and is liable on summary conviction to a fine at level 3 on the standard scale.

**Motor Vehicles in Cycle lanes.**

42B.(1) No person shall, subject to subregulations (2), (3) and (4), drive a motor vehicle on a cycle lane.

(2) Subregulation (1) does not apply to a motor vehicle being driven on a cycle lane—

- (a) in order to pass a stationary vehicle;
- (b) to enable the vehicle to enter, from the side of the road on which it is proceeding, land or premises adjacent to the length of the road on which the line is placed, or another road joining that road;
- (c) due to circumstances outside the control of the driver;
- (d) in order to avoid an accident; or
- (e) for the purpose of complying with any direction of a traffic warden or a police officer in uniform.

(3) When a vehicle is being used for at least one of the purposes mentioned in subregulation (4) and the observance of the prohibition in subregulation (1) would be likely to hinder the use of the vehicle for that purpose, then that prohibition does not apply to the driver of the vehicle.

(4) The purposes referred to in subregulation (3) are purposes involving—

- (a) the Fire and Rescue Service;
- (b) an ambulance;
- (c) bomb or explosive disposal; and
- (d) the Royal Gibraltar Police.

(5) A person who fails to comply with the provisions of this regulation is guilty of an offence and is liable on summary conviction to a fine at level 3 on the standard scale.

**Contraflow cycle lanes.**

- 42C.(1) Subject to subregulation (2), no person shall travel on a bicycle or a personal light electric transporter on a road containing a contraflow cycle lane other than on the demarcated contraflow cycle lane.
- (2) Subregulation (1) does not apply to a person travelling on a bicycle or a personal light electric transporter in the same direction as motor vehicular traffic.
- (3) A person who fails to comply with the provisions of this regulation is guilty of an offence and is liable on summary conviction to a fine at level 3 on the standard scale.”.

Dated: 30<sup>th</sup> March 2023.

P J BALBAN,  
Minister with responsibility for Traffic,  
For the Government.