



The Reign of the Bicycle

The bicycle was once, arguably, the most popular means of transportation in Jamaica and while its popularity has been dramatically overtaken by motor vehicles, many of the laws on the books concerning bicycles reflect their previous dominance and importance.

Take for example, The Bicycles (Control of Second-hand) Act. Under this legislation, a licence is required in order to deal in second hand bicycles (whether by way of purchase, sale or exchange). A licence is also required to carry on the business of repairing bicycles.

In order to obtain a licence to deal in second-hand bicycles or to repair bicycles, an application must be made to the Resident Magistrate for the parish. The application must specify the premises on which the repair or second-hand dealings are to take place and be accompanied by a fee of one dollar. Additionally, fourteen days notice of the application must be given to the Superintendent of Police in charge of the parish.

A licence may be granted either to repair bicycles or to deal in second hand bicycles or both. Once granted, the licence may be transferred to other premises upon further application to the Resident Magistrate.

A licensee must erect a sign indicating his licence or face a penalty, on summary conviction, of a fine of up to fifty dollars or imprisonment with hard labour for up to three months.

The Act also prescribes that second hand bicycles may be repaired, purchased or exchanged only on the licensed premises between nine in the morning and six in the evening. The licensee may only do business with a person who is sixteen years or older who presents satisfactory identification.

There is also a prohibition against disposing of, dismantling or changing the colour, shape or form of any second hand bicycle within fifteen days of acquisition without the written permission of the Superintendent of Police.

Interestingly also:

The Shops Regulations permit a shop to transact business outside of the prescribed hours of business where it is necessary to supply articles required by a bona fide traveller to be used as parts or accessories of a bicycle;

Witnesses who use bicycles to attend legal proceedings may be reimbursed for travelling expenses at the rate of 1.7 cents per mile each way under The Witnesses Expenses Act;

The Constables (District) Act and The Constabulary Force Act give exemptions from the payment of any tax or duty on one bicycle used by a District Constable or Constable, respectively, in the performance of his public duties.

Some laws, however, are as important now as they were during the reign of the bicycle for the safety of cyclists and other persons. So:

Under The Main Roads Act and The Parochial Roads Act, every bicycle when in use on any road one half hour after sunset and one half hour before sunrise must carry one front lamp affixed to the bicycle to show when lighted a white light adequate to signal the approach or position of the bicycle and a tail lamp placed in a position free of all obstruction to exhibit a red light in the reverse direction at a reasonable distance or an efficient red reflector.

The Jamaica Railway Corporation Act prohibits the riding of bicycles upon or along any railway line of the Corporation.

Please also bear in mind when visiting the Olivier Park in Port Antonio that The Parish Council (Olivier Park, Port Antonio) Regulations prohibit riding in the Park but permit cyclists to dismount at the gate and wheel their bicycles to the bandstand and leave them there until time to depart when cyclists may wheel their bicycles over the same pathway to the gate and thence leave the Park.

Bicycles, however, have not been overlooked under relatively recent legislation. The Road Traffic Act extends the offences of reckless or dangerous driving, careless driving and driving under the influence of drug and drink to cyclists. The Driving Rules under the Act are also applicable to cyclists. Additionally, it is an offence under The Toll Roads Act to ride a bicycle on a toll road.

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