

Bike Bans on Trains in Victoria 1st January, 2008
Frequently asked Questions

Q1. What makes it law?

We hear in the media and from others that bikes are banned from Zone 1 & VLine Trains during peak times.

But is this the law?

What parts are the law?

What are the specifics of the laws and are there any exemptions?

A. The ban on bikes is found in the Victorian Ticketing & Fares Manual, along with other general information.

This glossy document is actually actual law. It is put together in accordance with the Transport Act 1983 Part 7, Section 220D:

“Director may determine conditions

(1) The Director may determine any conditions to which an entitlement to use a specified public transport service provided by a passenger transport company or a bus company is to be subject.

(1A) A condition determined under subsection (1) may apply, adopt or incorporate any matter contained in any document whether—

(a) wholly or partially or as amended by the condition; or

(b) as in force at a particular time or as in force from time to time.

(2) The Director must publish any conditions determined under subsection (1) in the Government Gazette...”

The Transport Act 1983 at Section 2 states that a ***“Director means the Director of Public Transport under this Act”***

Q2 When were the conditions published in the Government Gazette?

A. Conditions made by the Director were advertised in the Victorian Government Gazette dated 24th December, 2007.

These conditions are identical to what is found in the Ticketing and Fares Manual.

This makes the Manual the legal authority, and any breaches could see the offender facing a court charged with breaking a law against the “Victorian Government Gazette 24th December 2007”.

Q3 So What does the Ticketing and Fares Manual say about Bikes?

- A. Chapter 9 deals with bicycles, surfboards & other items
There is a separation between metro & V/Line services in the manual which appears to be deliberately by the writers of the manual. This is important when we get the V/Line section.

Metro areas: Bicycles are not permitted on **trams** and **buses**.

Bicycles are not permitted on services traveling through Zone 1 that:
arrive in the Melbourne CBD between 7.00 am and 9.00 am
depart the Melbourne CBD between 4.00 pm and 7.00 pm

Bicycles must not be placed near the first door of the first carriage, as this space is reserved for passengers in wheelchairs.

There are no exemptions mentioned, such as foldable bikes, a child's bike, so these are also banned.

V/Line Services:

“Generally, V/Line **coaches** do not carry bicycles...” it then goes on about surfboards and other luggage.

NOTE: **There is no mention of restrictions on bikes on any V/Line journeys.**
Either the legislation writers got it wrong or they intended not to restrict country travelers and the media have it wrong!!

Q4 Legally, what is a bicycle?

- A. According to the **Transport Act 1983 Part 7, Sub-division 1; Section 21U; Definitions: Bicycle means a vehicle with one or more wheels that is built to be propelled by human power through a belt, chain or gears (whether or not it has an auxiliary motor), and—**
(a) includes a pedicab, penny-farthing, scooter, tricycle and unicycle;
(b) does not include a wheelchair, wheeled recreational device, wheeled toy, or any vehicle with an auxiliary motor capable of generating a power output over 200 watts (whether or not the motor is operating);

Q5. What are some of the ironies of the Ticketing & Fares Manual

A. During peak hour one is able to carry on a train in zone 1 and elsewhere

a. a surfboard

b. a dog, providing it has a lead & muzzle attached