

Wednesday December 13th 2017

FAO Chief Superintendent Tom Curley

Mill Street Garda Station, Galway City

CC All members of Galway City Joint Policing Committee

CC All members of Galway County Joint Policing Committee

Galway Cycling Campaign

c/o 56 Rockfield Park

Rahoon

Galway

Dear Supt Curley,

I am writing on behalf of Galway Cycling Campaign committee. Our mission is to make Galway cycling-friendly. We are a locally based independent, membership-driven organisation made up of dedicated volunteers. Our objectives are:

* get more people cycling and make it an everyday form of transport
* make the roads safer for everyone
* improve services and infrastructure for people who cycle, walk and use public transport
* educate the public and decision makers

We were concerned after reading an article in the Galway City Tribune on Friday November 10th 2017, which reports the proceedings of a Co Galway Joint Policing Committee meeting. Here is an extract:

*“Chief Superintendent Curley said one bike was entitled to cycle on a road – not two. “One thing that happened in the Celtic Tiger is we lost our patience. There’s been more examples of verbal altercations – nearly going to fisticuffs – over cyclists. Sunday morning is a particular issue. The man [a questioner from the floor] then reiterated his point: “So cyclists are not allowed cycle two abreast?” “No,” replied, the Divisional Garda chief, “One.”
Another member of the public said Judge Mary Devins had thrown out a prosecution in Westport District Court in connection with a cyclist. “It was announced by Judge Devins that we were the only country in Europe which hasn’t a law in place regulating bicycles.” He remarked. Chief Supt Curley said it was hard enough to pass one bike. “But multiples of two, you’re definitely risking life and limb passing more than one … it is single file from where I’m sitting.”*

The article quotes you as stating that it is unlawful in Ireland for cyclists to cycle side-by-side, that cyclists must cycle in single file.

These reported remarks are at variance with the law.

The Galway Cycling Campaign understands the traffic law in Ireland to be as follows:

1. There is a primary duty of care on all road users under Article 67 of the the Roads Act 1993 to avoid personal injury or injury to others. There is also a duty to avoid damage to property including personal property.

2. Under the traffic and parking regulations (SI 182/1997) overtaking may not be carried out in a manner that creates risks to others.

3. Under the traffic regulations, cyclists are entitled to cycle in twos side by side. Two cyclists who are cycling side by side may be overtaken by a third cyclist. Cyclists who are cycling side by side and need to overtake other traffic should go in single file to do so.

In our understanding this means that people on bicycles are not obliged in law to permit others to act in a way that places them or their property in danger (such as inviting unsafe overtaking manoeuvres at unsuitable locations – of which there are many on Irish roads).

On many narrow roads, it is not possible to overtake cyclists safely without using the other lane, this applies regardless of whether they are in single file or two side-by-side.

A key piece of advice for all cyclists is to avoid getting too close to the edge of the road. This is due to the danger caused by poor road surfaces and hazards such as drainage grates. Cycling in a safe manner requires taking adequate road space and overtaking cyclists in a safe manner will also require taking adequate road space. Furthermore there is a view among sport-cyclists, who train in groups, that cycling two abreast makes overtaking by drivers safer and easier by shortening the length of road needed. Clearly, like other vehicle operators, cyclists need to be mindful and considerate of others and avoid causing obstructions without due cause. However, whenever there is a tension between safety and courtesy, safety must come first.

The committee wish to ensure that we are giving correct information to our members. Accordingly the committee has asked me to seek clarification on your understanding of the law in this matter.

Yours Sincerely,

Mairéad Ní Chaoimh

Acting Chairperson

Galway Cycling Campaign

**References from Irish Roads and Traffic Legislation**

Roads Act 1993
Section 67 Road users’ duty of care.
http://www.irishstatutebook.ie/eli/1993/act/14/section/67/enacted/en/html#sec67

67.—(1) It shall be the duty of a person using a public road to take reasonable care for his own safety and for that of any other person using the public road.

(2) It shall be the duty of a person using a public road to take all reasonable measures to avoid—

(a) injury to himself or to any other person using the public road,

(b) damage to property owned or used by him or by any other person using the public road.

Traffic and Parking Regulations SI 182/1997
http://www.irishstatutebook.ie/eli/1997/si/182/made/en/print

It states as follows:

Article 47 Pedal Cyclists

47. (1) A pedal cyclist shall not drive a pedal cycle on a roadway in such a manner as to result in more than two pedal cyclists driving abreast, save when overtaking other pedal cyclists, and then only if to do so will not endanger, inconvenience or obstruct other traffic or pedestrians.

(2) Pedal cyclists on a roadway shall cycle in single file when overtaking other traffic.

Article 10 Overtaking

10. (1) A driver shall not overtake, or attempt to overtake, if to do so would endanger, or cause inconvenience to, any other person.

(2) A driver shall not overtake, or attempt to overtake, unless the roadway ahead of the driver—

( a ) is free from approaching traffic, pedestrians and any obstruction, and

( b ) is sufficiently long and wide to permit the overtaking to be completed without danger or inconvenience to other traffic or pedestrians.

**Galway Cycling Campaign Website and Social Media**

[www.galwaycycling.org](http://www.galwaycycling.org)

Twitter:

<https://twitter.com/GalwayCycling>

Facebook:

<https://www.facebook.com/GalwayCycling>