

Preamble/ Statement of Objects and Reasons

A Bill to protect the rights of pedestrians and cyclists to safe, accessible, and connected pedestrian and cycling networks in urban areas in the State, with a view to promote sustainable urban mobility and build healthy communities;

WHEREAS Karnataka is a highly urbanized state, and it is projected to have more than 50% of its population living in urban areas by 2025;

WHEREAS exponential increase in the number of private vehicles on the urban streets is causing congestion and deterioration of air quality in urban areas of the State, and is also resulting in high road fatalities wherein pedestrian and cyclists are more at risk of injury and loss of life;

WHEREAS a large section of people of all ages and abilities walk or cycle to commute or for access to public transport;

WHEREAS walking and cycling not only contribute to better health of an individual but also help in improving societal well-being. Improvements in pedestrian and cycling infrastructure also ensure equity as people from low-income groups walk and cycle extensively;

AND WHEREAS, the current legal framework does not have specific provisions to determine and protect rights of pedestrians and cyclists, the most vulnerable among the road users, to equitable allocation of space on roads/streets, and a safe and accessible environment for walking and cycling;

THEREFORE, the purpose of this Bill is to facilitate a transition to sustainable urban areas wherein streets and public places are designed and developed keeping in view the needs and requirements of all road users, and every road user is conscious and respectful of the rights of other road users;

BE it therefore enacted by the Legislature of State of Karnataka as follows: -

Chapter I - Preliminary

1. Short title, extent, and commencement. -

- (1) This Bill may be called the Active Mobility Bill - Karnataka, 2021.
- (2) It shall extend to the whole of the State of Karnataka.
- (3) It shall come into force at once / on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions. - In this Act, unless the context otherwise requires –

- (a) “**Active Mobility**” shall mean any form of movement or transport of people or goods which solely relies on human physical activity or effort, including the use of a motorised wheelchair or a pedal assisted electric bicycle;
- (b) “**Active Mobility Mode**” shall mean all modes of transport relying solely on human physical activity or effort for propulsion including but not limited to walk, bicycle, and pedal assisted electric bicycles;
- (c) “**Bicycle**” shall mean traditional standard cycles with two wheels, steered by a handlebar attached to the front wheel, and solely propelled by human power delivered through the pedals;
- (d) “**Bicycle crossing**” shall mean a street crossing provided exclusively for cyclists. Bicycle crossing can be either signaled or non-signalized;
- (e) “**Central Government**” shall mean the Government of India;
- (f) “**Code of Conduct**” shall mean code of conduct issued under Section 42 of this Act;
- (g) “**Comprehensive Mobility Plan**” shall mean the policy document outlining the policies, strategies and related actions for the provision of safe, clean and efficient urban transport and the enhancement of mobility of people and goods in the jurisdiction of

the Urban Local Body, covering all elements of mobility under an integrated land use and transport planning process;

- (h) “**Cycle Track**” shall mean a part of a street, or a dedicated space designed and constructed for the use of bicycles, and over which a right of way exists for a cyclist. Cycle tracks can also be referred to as cycle lanes or cycle paths and can be either segregated or unsegregated from other traffic;
- (i) “**Cyclist**” shall mean person riding a bicycle as defined under sub-section (c) of Section 2 of this Act;
- (j) “**Driver**” shall mean driver as defined under the sub-section (9) of Section (2) in The Motor Vehicles Act, 1988 (Act No. 59 of 1988);
- (k) “**First and Last Mile Connectivity**” shall mean the first and last stage of an individual trip primarily made by public transportation system;
- (l) “**Footpath**” or sidewalk shall mean a part of a street which is a dedicated space for the principal use of pedestrians, and users of motorised or non-motorised wheelchair;
- (m) “**Grievance Redressal Mechanism**” shall mean the physical and digital processes adopted by Urban Local Bodies to receive and resolve complaints from general public pertaining to pedestrian and cycling infrastructure and issues;
- (n) “**Incapacitated person**” shall mean an individual who, because of a physical or mental condition, is substantially unable to behave rationally in a public space;
- (o) “**Indian Road Congress**” shall mean the apex body of the highway engineers in India setup originally in December 1934 and formally registered as society in September 1937 to develop and promote the use of standard specifications conforming to the cutting-edge technologies for construction and maintenance of roads, bridges,

tunnels and road transportation;

- (p) **“Infrastructure Development Agency”** shall mean agency involved in development of city infrastructure such as road, bridges, water supply, drainage system, electricity supply, telecommunication cables, gas pipelines and any other utility agencies, whether public or private;
- (q) **“Kerb”** shall mean a vertical or sloping member and constructed of either cut stones or concrete. The kerb is provided along the edge of the footpath and represents the boundary between the footpath and the adjoining street;
- (r) **“Kerb Ramp”** shall mean a sloping of the kerb from the top surface of a footpath to the surface of an adjoining street or the driveway to the property entrance;
- (s) **“Local Planning Authority”** means an Urban Development Authority or any other authority in any city or town designated by the appropriate Government as responsible for regulating the land use by defining the precise extent of areas for any particular activity in the master plan or development plan or zonal plan or layout plan or any other spatial plan which is legally enforceable under the applicable Town and Country Planning Act or the Urban Development Act or the Municipal Act, as the case may be;
- (t) **“Master Plan”** shall mean a plan for the development or re-development of the area within the jurisdiction of a local planning authority under Section 9 of the Karnataka Town and Country Planning Act, 1961;
- (u) **“Micro-Mobility vehicles”** shall mean electric vehicles with a maximum speed of 25 kilometres per hour (kmph) and its equipped motor shall have a thirty-minute power less than 250 watt. These vehicles are approved by any authorized testing agency specified in the rule 126 of the Central Motor Vehicles Rules, 1989 as being

compliant with the requirements specified in Notification no. G.S.R. 291(E) (2) dated 24.04.2014 of the Government of India;

- (v) **“Motor Vehicle or Vehicle”** shall mean motor vehicle or vehicle as defined under the sub-section (28) of Section (2) in The Motor Vehicles Act, 1988 (Act No. 59 of 1988);
- (w) **“Pedal assisted electric bicycle or e-bicycles”** shall mean the electric version of the tradition standard bicycle without a throttle, and with a thirty-minute power of the motor which is less than 250 watt and the motor’s output shall progressively reduce and finally cut off as the vehicle reaches a speed of 25 kilometres per hour (kmph), or sooner, if the cyclist stops pedalling;
- (x) **“Pedestrian”** shall mean
 - i) a person sitting, standing, walking, running, or jogging, or using a walking stick, crutches, or any other mobility aid, with or without pet / companion animals; or
 - ii) a person in a non-motorised wheelchair or a conveyance propelled by human power other than a bicycle; or
 - iii) a person driving a motorised wheelchair or mobility scooter that cannot travel at over 10 kilometres per hour (kmph) (on level ground); or
 - iv) a person pushing a pram, stroller, or trolley, or a motorised or non-motorised wheelchair or a bicycle; or
 - v) a child using a tricycle.

Explanatory Note: The authority managing a public space may restrict the movement of pet or companion animals to part(s) of public space, if needed, by an appropriate order.

- (y) **“Person with disability”** shall mean a person or persons with long term physical, mental, intellectual or sensory impairment which,

in interaction with barriers, hinders their full and effective participation in society equally with others;

- (z) “**Public Bike Sharing Hub**” shall mean parking spaces in public spaces reserved for the fleet of Public Bike Sharing System;
- (aa) “**Public Bike Sharing System**” shall mean the shared bicycle and mobility service set up, permitted and operated under the guidelines issued by the State level Agency;
- (bb) “**Public Transport**” shall mean buses, trains, and other forms of transport providing services that are typically run on a scheduled timetable, operated on established routes, and charge a posted fee for each trip and are available for use by the general public;
- (cc) “**Right of Way**” shall mean the legal right of a pedestrian, cyclist, or vehicle to proceed with precedence over others in a particular situation or place;
- (dd) “**Rules**” shall mean rules made by the State Government under this Act;
- (ee) “**Shared Micro-Mobility System**” refers to system / services provided by operators that allows the shared use of a low-speed motorised transportation mode to provide short-term access on an as-needed basis for users to make their trips;
- (ff) “**Shared Path**” shall mean a part of a street, or a dedicated space primarily used for the movement of both pedestrians and cyclists;
- (gg) “**Slow Street**” shall mean a street on which the traffic has been slowed down, often limited to 20 kmph or less, using traffic signs or physical barriers like traffic islands, speed bumps , or plantings;
- (hh) “**Standards and Guidelines**” shall mean technical specifications, guidelines or other precise criteria established, published and / or recognised in relation to planning, designing, developing,

constructing and / or maintaining the urban streets, and these specifications includes -

- (i) Any standards or guidelines or criteria established, published and / or recognised by Indian Road Congress, before and after the commencement of this Act; and / or
 - (ii) Any standards or guidelines or criteria established, published and / or recognised by the Central Government, before and after the commencement of this Act; and / or
 - (iii) Any standards or guidelines or criteria established, published and / or recognised by the State under Section 41 of this Act;
- (ii) “**State Level Agency**” shall mean the Directorate of Urban Land Transport functioning under the Urban Development Department of Government of Karnataka;
- (jj) “**State Transport Authority**” shall mean the Authority constituted under Section 68 of the Motor Vehicles Act, 1988;
- (kk) “**State/ State Government**” shall mean State Government of Karnataka;
- (ll) “**Street**” means a public street or a private street, and includes any highway and any causeway, bridge, road, lane, footpath, subway or riding path or passage over which, the public have a right of way or access or have passed and had access uninterruptedly for a period of twenty years; and, when there is a footpath as well as a carriage way in any street, the said term includes both;
- (mm) “**Traffic Calming**” shall mean installation of self-enforcing physical and perception features and measures with the aim of lowering speed of the vehicle, reducing traffic volume, reducing the number and severity of road accidents, preventing access to particular types of vehicles into an area, etc., and thereby

improving the safety, mobility and comfort for Active Mobility Modes;

- (nn) **“Traffic Management Agency”** shall mean and include agencies involved in the day-to-day management of traffic such as Traffic Police, parking management agencies, transport authorities or any other agency or agencies assigned with the task of task of traffic management;
- (oo) **“Traffic phase for pedestrians and/or cyclists”** shall mean the right of way or green time exclusively allocated to pedestrians and/or cyclists in each cycle of the traffic signal;
- (pp) **“Traffic-Control Device”** shall mean markers, signs and signal devices used to inform, guide and control traffic, including pedestrians, cyclists and motor vehicle drivers. These devices are usually placed adjacent, over or along the highways, urban streets, traffic facilities and other public areas that require traffic control;
- (qq) **“Transit Oriented Development”** shall mean a framework for planning, designing, and transforming urban areas to make the best use of public transport network by orienting appropriate land uses in the urban space;
- (rr) **“Transit Oriented Development Zone Plan”** shall mean a notified development plan for the Transit Oriented Development zone;
- (ss) **“Transit Stations”** shall include bus terminals, metro stations, railway stations and large transportation hubs like Traffic Transit Management Centres, multi-modal hubs that serve as a gateway to access public transport operations;
- (tt) **“Urban Local Body”** shall mean and includes town panchayat and town, or city municipal council as defined in the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964) and Corporation as defined in the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) and the Bruhat Bengaluru

Mahanagara Palike as defined in the Bruhat Bengaluru Mahanagara Palike Act, 2020 (Karnataka Act 53 of 2020);

- (uu) “**Urban Mobility**” shall mean with all its grammatical variations all aspects of transport infrastructure, facilities, vehicles and services available to the general public, including but not limited to private transport vehicles and services and all modes and means of transportation;
- (vv) “**Urban Transport Agency**” shall mean and includes both the private and public agencies engaged in providing of Urban Mobility services;
- (ww) “**Vending Zone**” shall mean an area or a place or a location designated as such by the urban local body, on the recommendations of the Town Vending Committee, as per the Karnataka Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2016, for the specific use by street vendors for street vending and includes footpath, pavement, embankment, portions of a street, waiting area for public or any such place considered suitable for vending activities and providing services to the general public;
- (xx) “**Voluntary Active Mobility Warden**” shall mean an individual who is appointed or selected under the Section 45 of this Act;
- (yy) “**Ward**” shall mean such areas within the Urban Local Body determined by the State Government under Section 21 of Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) and / or Section 7 of Bruhat Bengaluru Mahanagara Palike Act, 2020 (Karnataka Act 53 of 2020).

CHAPTER II – Comprehensive Mobility Plans

3. Preparation of Comprehensive Mobility Plans. -

- (1) A Comprehensive Mobility Plan shall be prepared, in the manner and within the period specified, for Urban Local Bodies or Local Planning Authority of the State notified by the State Government. However, the Comprehensive Mobility Plan shall be prepared for all the municipal corporations of the State within two years from the date of commencement of the Act.
- (2) The Comprehensive Mobility Plan shall be mutatis mutandis incorporated into the Master plan prepared for a Local Planning Area.
- (3) The Comprehensive Mobility Plan shall necessarily include strategies and plans for enhancing the use of walking and cycling as preferred modes for short trips, and also as first and last mile connectivity to public transport.

CHAPTER III-Complete and connected urban streets with pedestrian and cycling network.

- 4. Development of complete and connected streets. -** It is the duty and responsibility of every Urban Local Body to design, construct and maintain a network of complete and connected streets, with footpaths of adequate width, and segregated cycle tracks or shared paths as permitted by the right of way of the street, for the use of pedestrians and cyclists, within their jurisdiction.
- 5. People-centric design of urban streets. -** Urban streets shall be designed to prioritise mobility of people of all ages and abilities over mobility of vehicles. The width of lanes for movement of private vehicles shall be fixed after provision of footpaths, cycle tracks or shared paths of adequate width for the movement of people by walk or by cycles and by public transport, where it is available.

6. Identification and completion of missing links. -

- (1) Missing links or lack of direct connectivity due to existing properties, if any, in the pedestrian and cycling network shall be identified by the Urban Local Bodies and informed to the concerned Local Planning Authorities. The latter shall ensure that land of required width is compulsorily demarcated and transferred at no cost to the former as and when the properties come for redevelopment.
- (2) Walking and cycling paths shall be created and maintained through parks and along lake bunds and shall be accessible for movement of pedestrians and cyclists during the operational hours, to provide short and direct connectivity.

CHAPTER IV - Redevelopment and new development of streets

7. New streets to be complete and connected to the existing network.

- Urban Local Bodies and Local Planning Authorities shall ensure that footpaths and cycle tracks or shared paths of adequate width are mandatorily provided in the development plans for all new streets in new or existing layouts and areas and are built accordingly. Such footpaths, cycle tracks or shared paths shall be connected to the wider pedestrian and cycling network in the area to form a complete and connected network.

8. Re-development of existing streets. - Whenever existing streets are taken up for redevelopment with or without road-widening, Urban Local Bodies shall re-design and develop the streets with footpaths and cycle tracks or shared paths of adequate width.

9. Regulation of public realm. - No development of new street or existing street under section 7 and 8 shall be taken up unless and until the Urban Local Body or the developer of such street, whether public or private, submits plans and designs for the vetting and approval of the

concerned Local Planning Authority. The concerned Local Planning Authority shall satisfy itself that the new development gives primacy to pedestrians and cyclists, and is designed with footpath and cycle track of adequate width, and conforms to the requirements mentioned in Chapter V.

- 10. Enabling Transit Oriented Development.** - Urban Local Bodies shall develop and / or augment the pedestrian and cycling network around transit stations in accordance with the Transit Oriented Development Zone plans, if any, approved by the Local Planning Authority.

CHAPTER V - Elements of complete and connected streets.

11. Development of Footpaths. -

- (1) Footpaths shall be designed and constructed on all urban streets to form a network that is:
- (a) continuous, connected, free from obstructions, and provides short and direct routes for walking within the neighbourhood;
 - (b) accessible and convenient to use for all users, especially children, elderly, and persons with disabilities;
 - (c) well- drained, well-lit;
 - (d) well-connected to the public transit stations and bus stops to provide first and last mile connectivity; and
 - (e) safe to use through implementation of measures like kerb ramps at crossings, pedestrian refuges, pedestrian signal phases, and traffic calming measures.

Provided where vending zones are identified and duly notified by the Urban Local Bodies, such zones shall be demarcated, developed and maintained to ensure no obstruction whatsoever to the unimpeded and safe movement of pedestrians.

12. Development of cycle tracks. -

- (1) Urban Local Bodies shall provide dedicated cycle tracks with safe segregation from the main carriageway for the use of cyclists, to the extent possible. Cycle tracks shall be:
 - (a) continuous and connected to form a complete cycling network;
 - (b) designed, if feasible, to allow for contraflow movements on one-way streets;
 - (c) of reasonable width to facilitate safe movement of cyclists either one way or two-way as the case may be;
 - (d) well-lit with adequate drainage facilities; and
 - (e) accessible from cycle stands, public bike sharing hubs, bus stops and public transit stations.

Provided where the existing road widths do not permit provision of segregated cycle tracks, shared paths shall be developed for use of both pedestrians and cyclists, with surface treatment conducive for both walking and cycling.

13. Safe crossings at intersections and street mid-blocks. -

- (1) Pedestrians and cyclists shall be able to safely cross the streets, preferably at-grade. The pedestrian and bicycle crossings shall be clearly demarcated and well-lit. Where the intersections are signalised, adequate duration shall be allocated to pedestrians and cyclists to enable people of all ages and abilities to safely cross the street.
- (2) Pedestrian over-bridges and pedestrian underpasses may be planned and provided at intersections and mid-blocks, on streets with carriageway consisting of more than four lanes if provision of safe at-grade crossing is not feasible for valid reasons.
- (3) The footprint of the grade-separated crossings shall be located such that pedestrian movements are not impeded on footpaths. Pedestrian over-bridges and underpasses shall be well lit and shall be made universally accessible either through provisions of gentle ramps, escalators or elevators.

Chapter VI – Pedestrianised streets and Slow streets

- 14. Pedestrianised Streets or Zones.** - Urban Local Bodies may designate streets with predominantly pedestrian use as Pedestrianised Streets or Zones. Only pedestrians, cyclists and emergency vehicles shall be allowed unrestricted movement in such streets or zones. Residents of the streets or zones with no alternative access to their properties may be authorised access by the Urban Local Bodies. Delivery vehicles shall be permitted access during stipulated hours.
- 15. Slow Streets.** - Urban streets in predominantly residential areas, school zones, hospital zones or with pedestrian volume higher than two thousand per hour for at least four hours per day shall be designated as ‘Slow Streets’ with adequate traffic calming measures and a specified speed limit of not more than 20 kilometres per hour for all vehicles, both motorised and non-motorised.

Chapter VII - Inspections and Audits

- 16. Assessing Pedestrian and Cycling infrastructure conditions.** - Urban Local Bodies shall audit and map the pedestrian and cycling infrastructure network in their jurisdiction within a year of this Act being notified. Such audits shall be conducted mandatorily every year in the manner specified, and the data shall be shared with the State Level Agency. Such audits shall also focus on identifying safety related issues and challenges women, children, elderly and persons with disabilities may face while using the pedestrian and cycling network.
- 17. Walking Inspections of Pedestrian and Cycling infrastructure.** - Urban Local Bodies shall undertake regular walking inspections of the footpaths, cycle tracks, and shared paths to identify maintenance issues, if any, and shall take immediate action to rectify defects. A

record of such walking inspections shall be kept in physical and digital format in the offices of the Urban Local Bodies.

Chapter VIII - Access to Properties, Street Furniture, and Signage

18. Access to Properties. -

- (1) Properties adjoining the footpath, cycle track or shared path shall be provided access from the footpath, cycle track or shared path without obstructing the pedestrian and cyclists' movements.
- (2) Kerb ramps shall be mandatorily provided on footpaths, cycle tracks and shared paths at property entrances to provide access to properties while ensuring the footpaths, cycle tracks and shared paths provide a uniform level for safe and unimpeded movement of pedestrians and cyclists.

19. Location of utilities on footpaths, cycle tracks and shared paths. -

Urban Local Bodies, along with the Infrastructure Development Agencies, shall coordinate, plan, and ensure that utilities are installed in utility ducts below the surface to the extent possible for ease of future repair and maintenance whenever new streets are created or existing streets are taken up for re-development. The above-ground utilities and amenities shall be located at the extreme edge of the footpath or between the footpath and carriageway in zones demarcated for the purpose to ensure unobstructed and safe passage of pedestrians and cyclists.

20. Pedestrian and Cyclist facilities. - Benches, shared micro-mobility or cycle parking facilities, drinking water fountains and other appropriate amenities shall be provided on the streets without obstructing the safe passage of pedestrians and cyclists.

21. Signages. - Wayfinding aids like maps, signages, etc. indicating walk and cycle routes shall be provided and maintained by the Urban Local Bodies at key locations like transit stations, intersections, and bus stops. Wayfinding aids shall be periodically updated by the Urban Local Bodies and shall be universally accessible.

22. Obligation to remove obstructions. - No agency or the department of the Government or any private individual or individuals or association of individuals shall have any right whatsoever to erect any permanent or temporary structure on the footpaths, cycle tracks, or shared paths. Any such act will be considered as an infringement on the rights of pedestrians/cyclists and will be liable to fine and/or imprisonment as specified.

Provided where such obstructions exist on the footpaths before the commencement of the Act, a reasonable time as specified shall be given for removal of obstructions by the individuals or agencies concerned.

23. Construction activities not to obstruct footpaths, Cycle tracks and Shared paths. -

- (1) Safe mobility of pedestrians and cyclists shall be ensured without long detours during construction activities.
- (2) Adequate signage should be at site to inform pedestrians and cyclists of the construction activity, and the detour to be taken.
- (3) Information on such detours to walk and cycle routes and details of the construction activities should be published at the site and on various media for information of the public.

**Chapter IX - Public Transport infrastructure,
First and Last mile connectivity**

24. Bus Stop Infrastructure. -

- (1) Urban Local Bodies, along with Urban Transport Agencies, shall plan, design and ensure that bus stops located adjacent to the footpaths, cycle tracks or shared paths shall meet with the following criteria:
 - (a) Bus stops or bus bays shall not reduce the width of footpaths, cycle tracks or shared paths.
 - (b) Bus stops shall have display boards prominently indicating the walking and cycling routes to key destinations in the vicinity.

25. First and Last Mile Connectivity. - Urban Local Bodies shall ensure first and last mile connectivity from bus stops and transit stations through active and sustainable mobility modes like walking, cycling, public bicycle sharing system and shared micro-mobility system.

**Chapter X – Regulation and facilitation of Public Bike Sharing and
other shared micro-mobility modes**

26. Facilitating Public Bike Sharing. - Shared micro-mobility through Public Bike Sharing shall be facilitated by the Urban Local Bodies and the Urban Transport Agencies by providing space for location of parking hubs or cycle stands at all public transit stations, multi-modal hubs and at suitable locations along the street network to encourage cycling for first and last mile access.

27. Regulation of Shared Micro-mobility Systems. - The Urban Local Bodies shall regulate shared micro-mobility modes through the process specified by the State Level Agency to ensure level-playing field to all operators, uniform branding, seamless use across various apps and operators, data sharing, and safe and convenient access to users. Only

the permitted active micro-mobility modes shall use the cycle tracks or shared paths.

- 28. Approval of Micro-mobility vehicles.** - Only those micro-mobility vehicles that are approved by the State Level Agency shall be used either as a personal mode or in shared mobility system on urban streets.
- 29. Licensing Requirements.** - The State Transport Authority shall specify regulations, if needed, for assessment of rider competency of users of micro-mobility vehicles and grant of license, if any, in consultation with the State Level Agency.

Chapter XI - Rights and Responsibilities of Pedestrians and Cyclists

- 30. Right to safe passage.** - Individuals shall have the right to complete and connected streets as described in the preceding sections, and right to access any place in an urban area by walk or by cycle subject to the conditions specified in the Section 42.
- 31. Usage of footpath, cycle path, and shared path.** - Where footpath, cycle track or shared paths are provided, no pedestrian or cyclist shall, unless compelled by other circumstances, walk or cycle along and upon the portion of a road meant for vehicular traffic. Where footpath or shared path is not provided, the pedestrian shall, as far as practicable, after taking due precautions walk on the shoulder of the road and, if possible, in relation to their direction of travel facing traffic approaching from the opposite side. Where cycle tracks or shared paths are not provided, the cyclist shall cycle along the left most lane of the road with due care.

- 32. Cyclists on Shared paths.** - On shared paths, cyclists will take due care while passing pedestrians. Cyclists must yield the right of way to pedestrians on a shared path and must give an audible signal like ringing of the cycle bell to alert the latter.
- 33. Pedestrians' right of way at the intersections.** - When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping, if need be, to so yield to a pedestrian crossing the road within an intersection when the pedestrian is upon the half of the road upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the road as to be in danger.
- 34. Pedestrians' right of way on footpaths.** - The driver of a motor vehicle emerging from or entering a crossroad, building, private road or driveway shall yield the right of way to any pedestrian and /or cyclist approaching on any footpath, cycle track and / or shared paths extending across such crossroad, building entrance, road or driveway.
- 35. Crossing a Street.** -
- (1) Ordinarily, pedestrians and cyclists must not cross a street except through the designated crossings, either at grade or grade separated. Where such crossings have not been provided, it is incumbent upon the Urban Local Body to designate and clearly mark the crossings as soon as feasible, in consultation with the Traffic Management Agency, so as to provide safe crossing facilities to pedestrians and cyclists.
 - (2) Pedestrians shall obey the instructions of any traffic-control devices specifically applicable to them, unless otherwise directed by a police officer.
 - (3) No pedestrian shall cross a road intersection diagonally unless authorized by official traffic-control devices; and, when authorized to

cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

- (4) Every pedestrian, crossing a street at any point other than within a marked or unmarked crossing at an intersection or crossing a street where a safe crossing is yet to be provided, shall yield the right of way to vehicles upon the street.

Chapter XII – Responsibilities of motor vehicle drivers towards pedestrians and Cyclists

36. Responsibilities of the Motor Vehicle Driver. - Drivers are required to:

- (1) Reduce their speed when they spot a pedestrian and / or cyclist crossing the street.
- (2) Stop their vehicles behind the marked or painted crossing or traffic signal, when the traffic phase for pedestrians and / or cyclist is green.
- (3) Yield the right of way to a pedestrian and / or cyclist crossing the street within a crossing, whether traffic control signals are not in place or not in operation.
- (4) Exercise due care to avoid colliding with any pedestrian and / or cyclist upon any street and give warning by sounding the horn when necessary and exercise proper precaution upon observing any child, an elderly person or incapacitated person upon a street.
- (5) Not overtake a vehicle which has stopped or slowed down at a marked or at an unmarked crossing to yield the right of way to pedestrian and / or cyclist crossing the street.

37. Overtaking Cyclists. - On cycle tracks adjoining the street, motorists shall ensure that they allow for sufficient distance while overtaking a cyclist. The distance should be wide enough to avoid contact with cyclist in the event of the cyclist losing balance and falling on the street.

- 38. Drivers prohibited from using footpaths and cycle tracks.** - Drivers shall not ride on footpaths, cycle tracks, and shared paths. Where cycle tracks are only marked with lane marking, are unsegregated and provided at the side of the road, Drivers shall not veer into the cycle track while driving. Drivers shall cross the cycle tracks only when undertaking a permitted turning movement at an intersection or a crossroad.
- 39. No Parking on footpaths, cycle tracks and shared paths.** - Drivers shall not park their vehicles on footpaths, cycle tracks and shared paths.
- 40. Safety precautions when opening vehicle doors.** - A Driver or passenger is prohibited from opening the vehicle door in a way that it interferes or is potentially unsafe for pedestrians, cyclists, and other traffic.

Chapter XIII - Development of Standards and Guidelines

- 41. Development of Standards and Guidelines.** - The State Level Agency may develop, update and disseminate standards and guidelines pertaining to planning, designing, construction, operation, and maintenance of footpaths, cycle tracks, and shared paths including all associated pedestrian and cycling infrastructure for compliance by all stakeholders including Urban Local Bodies, Traffic Management Agencies etc.
- Provided that until such standards and guidelines are developed and circulated, extant standards and guidelines of the State Government, Government of India or an expert organization like Indian Road Congress, as the case may be, shall be followed.

Chapter XIV – Education, Awareness Generation and Enforcement

- 42. Encouraging Right Behaviour.** - The State Level Agency shall prepare and circulate a Code of Conduct to provide guidance on expected behaviour of pedestrians, cyclists, and drivers regarding the right use of footpath, cycle path, and shared path. Such Code of Conduct may provide practical guidance on the fair use of pedestrian and cycling infrastructure.
- 43. Inclusion of Code of Conduct in School Curriculum.** - The Code of Conduct may be included in school curriculum to inculcate good civic behaviour and safe mobility from an early age.
- 44. Communication and Outreach.** - Urban Local Body shall design and implement a continuous communication and outreach program to drive home the benefits of Active Mobility to the general public from the perspective of individual health and fitness, environmental sustainability and societal well-being.
- 45. Voluntary Active Mobility Wardens.** - Urban Local Bodies shall encourage interested members of public to work as Voluntary Active Mobility Wardens at Ward level to promote community participation in enforcing the Code of Conduct, audit of pedestrian and cycling infrastructure and encouraging walking and cycling. The Voluntary Active Mobility Wardens may conduct routine audits suo moto or along with the local Ward Committee or team of the Urban Local Body, and report any issues pertaining to pedestrian and cycling infrastructure and enforcement of Code of Conduct to the Urban Local Body for appropriate action.
- 46. Grievance Redressal.** - Urban Local Bodies shall institute a grievance redressal mechanism to enable members of the public to report issues pertaining to pedestrian and cycling infrastructure.

- 47. Enforcement of the Act.** - It is incumbent upon the Urban Local Bodies and Traffic Management Agencies to ensure proper enforcement of the provisions of this Act through deployment of special squads, regular inspections by officials, utilization of the services of the Volunteer Active Mobility Wardens, use of technology etc.

Chapter XV - Funding

- 48. First Charge on the Urban Local Body Fund.** - Funding for the construction, operation, and maintenance of the footpaths, cycle tracks, and shared paths shall have first charge on the fund of the Urban Local Body. Urban Local Body shall earmark an annual allocation as necessary for the development and upkeep of pedestrian and cycling infrastructure.
- 49. Augmenting Funds.** - Corporate Social Responsibility funds may be leveraged by the Urban Local Bodies for the construction, operation, and maintenance of the footpaths, cycle tracks, and shared paths and for communication, outreach and education related activities.

Chapter XVI - Offences and Penalties

- 50. Penalty for failure to comply with provisions of the Act and / or the rules, regulations, orders and directions issued under the Act.**
- If any person fails to comply with the Act and / or the rules, regulations, orders and directions issued under the Act by the Urban Local Body or the State Level Agency or any other authority specified by the State Government, such a person shall be punishable with fine which may extend up to one lakh rupees and for a second or subsequent violation or noncompliance, with fine which may extend

up to two lakh rupees and in the case of continuing violation or non-compliance with additional fine which may extend up to five thousand rupees for every day during which the violation or noncompliance continues.

51. Offences by Companies. -

- (1) If the person committing a default or contravention under this Act is a company, every person, who, at the time such default or contravention occurred, was in-charge of and was responsible for the conduct of the business of the company, as well as the company, shall be deemed liable for the default or contravention and shall be liable to be proceeded against and punished accordingly as per section 50.

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment provided under this Act, if the person proves that the default or contravention was committed without the person's knowledge or that the person exercised all due diligence to prevent the commission of such default or contravention.

- (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of or it is attributable to any neglect on the part of any director, manager, secretary, such director, manager, secretary, or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

52. Levy and Collection of Fine. - The competent authority or authorities as notified by the State Government shall be responsible for taking cognizance of the violations and to levy and collect the fine as applicable.

53. Failure by the State Government departments or agencies. -

- (1) Where violation under this Act is committed by any Urban Local Body, Traffic Management Agency or any department or agency of the State or Central Government, the head of such organisation shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this section shall render such head of the organisation liable to any punishment, if the person proves that the offence was committed without the person's knowledge or that the person exercised all due diligence to prevent such offence.

- (2) Notwithstanding anything contained in sub-section (1), where it is proved that the offence has been committed with the consent or connivance of or is attributable to any neglect on the part of any officer other than the head of the department or agency, such officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Chapter XVII - Miscellaneous

- 54. Power to make Rules. -** The State Government may, after previous publication by notification in the official Gazette, make rules, as necessary, for the purpose of carrying into effect the provisions of this Act. Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislature of the State, while it is in session, immediately following for a total period of fourteen days, which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following the Legislature making any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or stand annulled, as

the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

- 55. Effect of other Laws.** - The provisions of this Act and the rules made there-under shall have effect, notwithstanding anything inconsistent therewith, contained in any other law in force.