



**ST HELENA  
NO. OF 2015**

Enacted.....  
Date of Commencement.....  
Published in the Gazette.....

**A BILL  
FOR  
AN ORDINANCE**

**to amend the Road Traffic Ordinance, Cap. 101, to prohibit the use of mobile telephones, hand-held radios and any other hand-held communication devices while driving.**

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Enacted by the Governor of St Helena with the advice and consent of the Legislative Council of St Helena.

**Citation and commencement**

**1.** This Ordinance may be cited as the Road Traffic (Amendment) Ordinance, 2015, and shall come into force on ....

**Mobile telephones**

**2.** The following section is inserted in the Road Traffic Ordinance, Cap. 101, after section 32:

**“Mobile telephones**

**32A. (1)** No person shall drive a vehicle on a road while holding a telephone, a hand-held radio or any other hand-held communication device in any way while the vehicle is in motion.

**(2)** A person does not contravene a provision of this section if, at the time of the alleged contravention—

- (a)* is executing his duties as a member of the Police Service, the Fire Service or any other emergency service; or
- (b)* he is using the telephone or radio to call the police, fire, ambulance or other emergency service;
- (c)* he is acting in response to a genuine emergency; and
- (d)* it is unsafe or impracticable for him to cease driving in order to make the call.

(3) A person who fails to comply with this section is guilty of an offence for which the maximum penalty on conviction is a fine of £1000.”.

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**EXPLANATORY NOTE**

*(This note does not form part of the Ordinance)*

The purpose of this Ordinance is to amend the Road Traffic Ordinance, Cap. 101, to prohibit the use of mobile phones, hand-held radios and any other hand-held communication device while driving.