



ASCENSION

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INFRASTRUCTURE AND PUBLIC UTILITIES

ROAD TRAFFIC ORDINANCE, 1984

Ordinance A2 of 1984

In force 1 July 1984

Amended by Ordinances A1 of 1989, A1 of 1994, A2 of 1995, A2 of 1996, A2 of 2006, A3 of 2008, A3 of 2009, A6 of 2010, 3 of 2011, A6 of 2011, A8 of 2011, A3 of 2016 and A9 of 2016 (w.e.f.1 January 2017)

Subsidiary legislation:

ROAD TRAFFIC REGULATIONS, 1984

Legal Notice A1 of 1984

Amended by L.Ns. A2/1985, A1/1987, A1/1992, A3/1994, A1/1998, A4/2014, A5/2016

ROAD TRAFFIC (TRAFFIC SIGNS) RULES, 1984

MOTOR VEHICLES RULES, 1985

Legal Notice A1 of 1985 and Ordinance A1 of 1994

ROAD TRAFFIC (SPEED MEASURING DEVICES) RULES, 2010

Legal Notice A7 of 2010

ROAD TRAFFIC ORDINANCE, 1984

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AN ORDINANCE to make provision for the regulation of traffic on roads and of motor vehicles in Ascension.

PART I - PRELIMINARY

Citation

1. This Ordinance may be cited as the Road Traffic Ordinance, 1984.

Interpretation

2. In this Ordinance, unless the context otherwise requires—
 - “**driver**”, where a separate person acts as steersman of a motor vehicle, includes that person as well as any other person engaged in the driving of the vehicle, and the expression “drive” is to be construed accordingly;
 - “**inspector**” means a person appointed as such by the Administrator under section 3;
 - “**motor cycle**” means a motor vehicle with less than 4 wheels, the weight of which unladen does not exceed 8 cwt;
 - “**motor licensing officer**” means a person appointed as such by the Administrator under section 3;
 - “**motor vehicle**” means any mechanically propelled vehicle intended or adapted for use on roads;
 - “**owner**”, in relation to a vehicle which is the subject of a hiring agreement or a hire purchase agreement, means the person in possession of the vehicle under that agreement;
 - “**prescribed**” means prescribed by regulations made under this Ordinance;
 - “**private motor car**” means a motor vehicle constructed and used for the carriage of persons other than for hire or reward;
 - “**private motor lorry**” means a motor vehicle constructed and used for the carriage of goods other than for hire or reward;
 - “**public service vehicle**” means a motor vehicle licensed to carry passengers or goods for hire or reward;
 - “**quadricycle**” means a motor vehicle with 4 wheels and having an unladen mass (excluding the mass of the batteries in the case of electric vehicles) not exceeding 550 kg;
 - “**road**” means any highway and any other road to which the public has access, and includes bridges over which the road passes and the quay at Georgetown;
 - “**sign**” includes a marking painted on the surface of a road, and a reference to the erection of

a sign is to be constructed accordingly;
“trailer” means any vehicle other than a side car attached to and drawn by a motor vehicle;
“vehicle” includes every type of machine or implement that is drawn or propelled along a road.

Administrator may appoint officers for purpose of Ordinance

3. For the purpose of this Ordinance the Administrator may appoint—
- (a) a motor licensing officer; and
 - (b) inspectors and examiners.

PART II - REGULATION OF MOTOR VEHICLES

Governor may make regulations

4. (1) The Governor may make regulations generally as to the use of motor vehicles and trailers on roads, their construction and equipment and the conditions under which they may be used, and in particular, but without limiting the power, may make regulations with respect to any of the following matters—

- (a) the width, height and length of motor vehicles and trailers, the diameter of wheels and the width, nature and condition of tyres of motor vehicles and trailers;
- (b) the maximum weight unladen and laden of motor vehicles and trailers, and the conditions under which the weights may be required to be tested;
- (c) the number and nature of brakes, and for securing that brakes, silencers and steering gear must be efficient and kept in proper working order, and for empowering persons appointed by the Administrator to test and inspect any such brakes, silencer or steering gear;
- (d) the appliances to be fitted for signalling the approach of a motor vehicle, or enabling the driver of a motor vehicle to become aware of the approach of another vehicle from the rear, and for securing that they must be efficient and kept in proper working order;
- (e) the plates to be affixed to or particulars to be marked on motor vehicles and trailers;
- (f) the exclusion of any class of motor vehicle, or attachment;
- (g) the training of drivers;
- (h) prescribing the fees to be charged and the forms to be used for any act or thing done or document issued under this Ordinance; and
- (i) generally, and notwithstanding any other provisions of this Ordinance, for the carrying into effect of the purposes of the Ordinance.

(2) Different regulations may be made as respects different classes or vehicles in different circumstances.

Prohibition of motor vehicles not complying with regulations as to construction, etc.

5. (1) If a motor vehicle or trailer does not comply with any regulations applicable to the class or description of vehicle to which the vehicle belongs, as to the

construction and equipment thereof, any person who so uses the vehicle on any road or causes or permits the vehicle to be so used commits an offence.

Penalty: As provided in section 45(2).

(2) If a load in excess of the maximum weight applicable to the class or description of vehicles to which the vehicle belongs, as fixed by regulations, is carried by a motor vehicle or trailer on any road, or if any passenger is carried in a motor vehicle on any road in excess of the number which it is permitted to carry by the regulations applicable to the class or description of vehicles to which the vehicle belongs, the driver of the vehicle and any person who causes the vehicle to be used commits an offence.

Penalty: As provided in section 45(2).

PART III - REGISTRATION AND LICENSING OF MOTOR VEHICLES AND TRAILERS

Registration of motor vehicles and trailers

6. An application for registration of a motor vehicle or trailer must be made to the motor licensing officer and the owner must provide to that officer, in the prescribed form, any information respecting the motor vehicle or trailer required.

Particulars entered in form of application to be verified

7. (1) Before registering any motor vehicle or trailer, the motor licensing officer must verify all particulars entered in the form of application and may, if he or she considers it necessary, cause the vehicle to be examined by an inspector to ensure that it conforms with the requirements of any regulation.

(2) The prescribed fee for the inspection of any motor vehicle or trailer under subsection (1) must be paid by the owner of it.

Change of ownership of motor vehicle or trailer

8. (1) Subject to subsections (2), (3) and (4), if there is a change in ownership of a motor vehicle or trailer –

- (a) the change of ownership, whether in whole or in part, must be notified by the new owner or part owner to the motor licensing officer in the prescribed form within 7 days of the change of ownership;
- (b) the motor licensing officer must duly amend the register and the licence; and
- (c) it is not necessary to issue a new licence.

(2) Notwithstanding subsection (1), the motor licensing officer, upon receiving such a notice of change of ownership in respect of a motor vehicle to which this subsection applies, may treat the notice as an application for registration of a change of ownership and refuse such application on the ground that the vehicle is unsuitable for use on the roads of Ascension under subsection (3).

(3) Subsection (2) applies to any motor vehicle which, in the opinion of the motor licensing officer, is unsuitable for use on the roads of Ascension by reason of the size or construction of the vehicle or the inability of the new owner of the vehicle to obtain from

usual trade or commercial sources in Ascension spare parts or equipment necessary to maintain the vehicle in a satisfactory condition.

(4) Subsections (2) and (3) apply in respect of a proposed change of ownership of a motor vehicle as they apply in respect of a change of ownership and are to be construed accordingly.

(5) A person who wilfully refuses or without lawful excuse neglects to give notification as required by subsection (1) commits an offence.
Penalty: As provided in section 45(2).

Prohibition of use of motor vehicles and trailers without licences

9. (1) Subject to subsection (1A), a motor vehicle or trailer must not be used on any road unless it is licensed under this Ordinance:

(1A) If in the opinion of the motor licensing officer it is necessary for an unlicensed motor vehicle or trailer to be used on a road for the purpose of being examined by an Inspector in accordance with section 10(2)(b), the officer may grant a permit authorising the motor vehicle to be used on a road for the purposes of such examination at times and subject to conditions the licensing officer prescribes.

(2) If a motor vehicle or trailer is used in contravention of this section, the driver of the vehicle and any person who causes or permits the vehicle to be so used commits an offence.
Penalty: As provided in section 45(2).

(3) Vehicles owned by the United Kingdom Ministry of Defence and United States Air Force base, operating primarily within the respective bases and not used for private purposes, are exempt from any requirement to be licensed under this Ordinance or to comply with the Ordinance and regulations.

Application for and issue of motor vehicle or trailer licence

10. (1) An application for a motor vehicle or trailer licence must be made to a motor licensing officer.

(2) A motor vehicle or trailer licence must not be granted or renewed unless—

- (a) the motor vehicle or trailer has been registered; and
- (b) the motor vehicle or trailer has, within the preceding 3 months, been examined by an inspector and certified by him or her in the prescribed form that it complies with any regulations made under this Ordinance relating to the construction, equipment or use of motor vehicles or trailers, and that its condition is not such as to cause danger to any person travelling in it or being upon any road.

(2A) In the case of a new motor vehicle or trailer being licensed for the first time examination and certificate under subsection (2) may, at the discretion of the motor licensing officer, be dispensed with.

(3) The prescribed fee for the examination of a motor vehicle or trailer under subsection (2) must be paid by the owner of it.

(4) Every motor vehicle and trailer licence must be issued in the prescribed form.

(5) The owner of a motor vehicle or trailer for which the grant or renewal of a licence is refused under this section may appeal against the decision of the motor licensing officer to the Administrator.

(6) Notwithstanding anything in the Road Traffic Regulations concerning prescribed forms, an inspector may issue (in a form approved for the purpose by the motor licensing officer) a certificate for the purposes of subsection (2)(b), in relation to a quadricycle, if satisfied that it is constructed and maintained in such a state that it could lawfully be driven on a road in the United Kingdom.¹

Duration of licences

11. A motor vehicle or trailer licence must be taken out annually and is valid for 12 calendar months from the date of issue.

Refund of licence fees

12. If a motor vehicle or trailer is condemned for further use under section 13, or is exported from Ascension, or is being disused in the absence of the owner from Ascension, or if a motor vehicle or trailer is being disused in any purpose approved by the Administrator, a refund of one twelfth of the licence fee must be made to the owner in respect of each full month of the unexpired period of the licence, subject to the prior surrender of the licence to the motor licensing officer.

Revocation of motor vehicle and trailer licences for defects

13. (1) The motor licensing officer must, if he or she has reason to believe that a motor vehicle or trailer is in such a condition as to be a source of danger to any person travelling in the vehicle or to other users of the road or to be injurious to the roads, require examination of the motor vehicle or trailer by an inspector.

(2) Whenever in the opinion of an inspector any defect is such as to be a source of danger to any person travelling in the vehicle or to other users of the road or to be injurious to the roads, the motor licensing officer must revoke the licence: but if in the opinion of the inspector the defect is such as can be remedied and the licensee provides evidence to the satisfaction of the inspector that the defect is in the course of being remedied, the licence must not be revoked.

(3) The owner of a motor vehicle or trailer in respect of which the licence is revoked under this section may appeal against the decision of the motor licensing officer to the Administrator.

PART IV - LICENSING OF DRIVERS OF MOTOR VEHICLES

Licensing of drivers, etc.

14. (1) A person must not drive a motor vehicle on a road unless he or she is the holder of a licence and must not employ any person to drive a motor vehicle on a road unless the person so employed is the holder of a licence.

¹ This subsection transferred from section 2 of Ord. A2 of 2006.

(1A) A person who acts in contravention of this provision commits an offence.
Penalty: As provided in section 45(2).

(2) Application for a licence must on payment of the prescribed fee be made to the motor licensing officer.

(2A) Subject to the provisions of this Ordinance as to the fitness of applicants for licences, the motor licensing officer, except in the case of an applicant who is disqualified as hereinafter mentioned, must grant a licence to any person who applies for it in the prescribed manner and makes a declaration in the prescribed form that he or she is not, under the provisions of this Ordinance, disqualified by reason of age or otherwise from obtaining a licence.

(3) The motor licensing officer may grant an unrestricted licence or may grant a licence subject to such restrictions as he or she sees fit to impose in respect of the class of vehicle, the area within which and the roads upon which the holder of the licence is permitted to drive.

(4) A person aggrieved by any such restriction imposed upon him or her by the motor licensing officer may appeal to the Administrator.

(5) Licences must be in the prescribed form, and if under subsection (3) a licence is granted subject to any restriction, the extent of the restriction must be specified in the licence.

(6) Notwithstanding subsection (1), it is lawful for a person to drive a motor vehicle in Ascension if he or she is the holder of a current valid driver's licence issued by —

- (a) the relevant authority in St Helena; or
- (b) the United Kingdom or any other country,

or an International Drivers permit, if that person has been in Ascension for less than 3 months in the preceding year:

Provided that this exemption applies only to the class of vehicle specified in the licence and subject to any restrictions endorsed thereon.

(7)² ...

Duration of licences

15. A licence to drive a motor vehicle may be issued to be valid for a period of either 12 or 24 calendar months from the date of issue.

Physical fitness of applicants for licences

16. (1) On an application for the grant or renewal of a licence the applicant must make a declaration in the prescribed form as to whether or not he or she is suffering from any disease or physical disability specified in the form, or any other disease or physical disability which would be likely to cause the driving by the applicant of a motor vehicle, being a vehicle of such a class or description as he or she would be authorised by the licence to drive, to be a source of danger to the public.

² Section 14(7) repealed by Ord A6 of 2011

(2) If it appears to the motor licensing officer that any person who holds a licence granted by the officer is suffering from a disease or physical disability likely to cause the driving by the person of a motor vehicle, being a vehicle of any such class or description as the person is authorised by the licence to drive, to be a source of danger to the public, and on inquiry into the matter the motor licensing officer is satisfied that the licence holder is suffering from such a disease or disability as aforesaid, the motor licensing officer must revoke the licence, and the licence holder must, on the request of the motor licensing officer, deliver the licence to the officer for cancellation.

(3) A person aggrieved by the refusal of the motor licensing officer to grant a licence or by the revocation of a licence under this section may appeal to the Administrator.

Competence to drive and control a motor vehicle

17. (1) A driver's licence must not be granted unless the applicant satisfies an examining officer and obtains from the officer a certificate of competence testifying to the applicant's knowledge of the Highway Code specified in section 36 Ordinance, and to the applicant's competence to drive and control a motor vehicle of the class in respect of which he or she desires to obtain a driver's licence.

(1A) Subsection (1) does not apply to any application for the renewal of a licence previously granted, unless the motor licensing officer has reason to doubt the continued competence of the applicant to drive and control a motor vehicle of the class in respect of which the applicant desires to obtain a driver's licence.

(2) For the purpose of enabling the applicant for the grant of a licence to learn to drive a motor vehicle with a view to passing a test under this section, the motor licensing officer may, if so requested by the applicant, grant him or her a provisional licence to be in force for a period of 3 months, which licence must be in the prescribed form and granted subject to the prescribed conditions.

(3) A person to whom a provisional licence is granted under subsection (2) who fails to comply with any of the conditions subject to which it is granted commits an offence, and the court may order the withdrawal of the provisional licence.
Penalty: As provided in section 45(2).

(4) A person to whom a certificate of competence has been issued in relation to vehicles in Class A (as defined in section 20(1)) is deemed also to have been issued with such a certificate in relation to Class H.

Disqualification for offences

18. (1) Any court before which a person is convicted of any criminal offence in connection with the driving of a motor vehicle may, and must when so required by this or any other Ordinance, order that the person be disqualified from holding or obtaining a driving licence for a period the court thinks fit.

(2) When a court makes an order under subsection (1), including an order which it is required to make, it may (subject to subsection (3)) further order that the disqualification is not to apply to the driving of a specified class of motor vehicle when driven in connection with the person's employment.

(3) A court must not make an order under subsection (2) unless it is satisfied, by evidence on oath from the person's employer, that the driving of a specified class of motor vehicle is so essential a part of the duties of the person's employment that the person's employment would be terminated if he or she was unable to drive.

(4) A person against whom an order is made under this section may appeal against the order in the same manner as against any other sentence or order; and the court may, if it thinks fit, suspend the operation of the order pending determination of the appeal.

Provisions as to disqualifications and suspensions

19. (1) If a person who is disqualified by virtue of a conviction or order under this Ordinance is the holder of a licence, the licence is suspended so long as the disqualification remains in force, and the licence so suspended is during the time of suspension of no effect.

(2) A person who, while disqualified from holding or obtaining a driving licence (whether by reason of an order of a court, or by age or other incapacity), drives or attempts to drive a motor vehicle on a road or other public place, otherwise than as permitted by an order under section 18(2), commits an offence.

Penalty: A fine of £2,500, or imprisonment for 18 months, or both.

(2A) On convicting a person under this subsection, the court—

(a) must make an order under section 18(1); and

(b) may not make an order under section 18(2).

(3) Notwithstanding any enactment prescribing the time within which proceedings may be brought before a court of summary jurisdiction, proceedings for an offence under subsection (2) may be brought—

(a) within a period of 6 months from the date of the commission of the alleged offence; or

(b) within a period which exceeds neither 3 months from the date on which it came to the knowledge of the prosecutor that the offence had been committed nor one year from the date of the commission of the offence,

whichever period is the longer.

PART V - DRIVING OF MOTOR VEHICLES AND OFFENCES IN CONNECTION THEREWITH

Disqualification of person under age

20. (1) A person is disqualified for holding or obtaining a licence to drive a motor vehicle of a class specified in the following Table if the person is under the age specified in relation to it in the second column of the Table.*

Table

* By Legal Notice A2 of 1986 the Governor ordered, under the powers conferred by section 46, that this section does not apply to any serving member of the Royal Air Force.

<i>Class of motor vehicle</i>	<i>Age (in years)</i>
<i>A. Private motor cars</i>	<i>17</i>
<i>B. Private motor lorries, transit buses, and landrovers which are in neither Class A nor Class C</i>	<i>18</i>
<i>C. Public service vehicles of gross weight not exceeding 4,000lbs (1,800Kgs)</i>	<i>18</i>
<i>D. Public Service vehicles of gross weight exceeding 4,000lbs (1,800Kgs)</i>	<i>18</i>
<i>E. Motorcycles up to and including 125cc</i>	<i>17</i>
<i>F. Motorcycles from 125cc up to and including 250cc</i>	<i>18</i>
<i>G. Motorcycles and quadricycles over 250cc</i>	<i>21</i>
<i>H. Quadricycles up to and including 250cc</i>	<i>17</i>
<i>J. All other classes of motor vehicles</i>	<i>18</i>

(2) A person who drives, or causes or permits any person to drive, a motor vehicle in contravention of this section commits an offence.

Failure to comply with restriction imposed on holder of driver's licence

21. (1) A person who in accordance with section 14 Ordinance has been granted a driver's licence subject to any restriction and who fails to comply with such restriction commits an offence.

Penalty: As provided in section 45(2).

(2) A person who permits or causes any person to drive a motor vehicle in contravention of this section commits an offence.

Penalty: As provided in section 45(2).

Seat belts

21A. (1) Every person driving a motor vehicle on a road, or who is a passenger in such motor vehicle, must, subject to subsection (3), wear a seat belt of a description prescribed under subsection (6).

(2) A person must not without reasonable excuse drive a motor vehicle on a road with a child under the age of 14 years in the motor vehicle, unless the child is wearing a seat belt as required by subsection (1).

(3) Notwithstanding subsections (1) and (2), the following persons are exempted from wearing a seatbelt:

- (a) any passenger in a refuse or effluent vehicle in the execution of refuse or effluent duties on a journey between stops which does not exceed 50 metres;
- (b) a driver of a vehicle while performing a manoeuvre which includes reversing;
- (c) a person engaged in official protection duties, while actually performing such duties;

- (d) a person holding a valid certificate signed by a medical practitioner to the effect that it is inadvisable on medical grounds for the person to wear a seat belt;
- (e) a person in the seat of a motor vehicle if the seat is not provided with a prescribed seat belt;
- (f) a child aged under the age of one year if the child is in a carry cot which is restrained by straps.

(3A) The exemption under subsection (3)(e) does not apply in respect of any child under the age of 14 years who is seated in the front of the vehicle, unless the vehicle has no rear seat and, apart from the driver's seat, no seat in the vehicle is provided with a seat belt which is appropriate for such a child.

(4) A person must not without reasonable excuse drive a vehicle on a road with a child in a rear-facing child restraining device in the front seat of the motor vehicle if the front seat is protected by an air bag which has not been deactivated.

(5) If a person who is the holder of a certificate referred to in subsection (3)(d), or the driver of the vehicle in which a child under 14 years who holds such a certificate is a passenger, is informed by a police officer that he or she might be prosecuted for an offence for failure to comply with subsection (1) or (2), the person is not in any proceedings for that offence entitled to rely on the exception afforded by that certificate, unless the certificate is produced to the police officer at the time the person is so informed or is produced at the police office in Georgetown within 7 days after the date on which the person is so informed.

(6) The Governor may make regulations prescribing the descriptions of seat belts to be worn and the manner in which such seat belts are to be fixed and used under this section, and such regulations may—

- (a) make different provision in relation to different classes of vehicles, different descriptions of persons and different circumstances;
- (b) make provision for exceptions subject to such conditions as may be prescribed;
- (c) prescribe the circumstances under which a seat is regarded as provided with a seat belt;
- (d) prescribe what constitutes a front and rear seat of a vehicle; and
- (e) prescribe a fee to be charged on an application for a certificate required under subsection (3)(d).

(7) In this section “seat belt” means a belt intended to be worn by a person in a vehicle and designed to prevent or lessen injury to its wearer in the event of an accident to the vehicle and includes any description of restraining device for a child; and any reference to wearing a seat belt is to be construed accordingly.

(8) A person who—

- (a) fails to comply with subsection (1), (2) or (4); or
- (b) removes or causes to be removed any seat belt which has been fixed to the seat of any vehicle, otherwise than for purposes of replacing such seat belt,

commits an offence.

Penalty: A fine of £500.

(9) Notwithstanding any enactment or rule of law, no person other than the person actually committing the contravention under subsection (8)(a) commits an offence by reason of such contravention.

Causing death by reckless or dangerous driving

22. A person who causes the death of another person by the driving of a motor vehicle on a road recklessly, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road, and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the road, commits an offence.

Penalty: A fine of £5,000 or imprisonment for 5 years, or both.

Reckless or dangerous driving

23. (1) A person who drives a motor vehicle on a road recklessly, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and the use of the road, and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the road, commits an offence.

Penalty: A fine of £500 or imprisonment for 2 years, or both.

(2) On a second or subsequent conviction under this section the convicting court must order that the offender is to be disqualified from holding or obtaining a licence unless the court, having regard to the lapse of time since the date of the previous or last preceding conviction or for any other special reason thinks fit to order otherwise; but this provision is not to be construed as affecting the right of the court to exercise the power aforesaid on a first conviction.

(3) A charge under this section is deemed to include a charge under section 24.

(4) If a person is convicted of aiding, abetting counselling or procuring, or inciting the commission of an offence under this section, and it is proved that the person was present in the vehicle at the time of the commission of the offence, the offence of which the person is convicted is, for the purposes of the provisions of this Ordinance relating to disqualifications for holding or obtaining licences, deemed to be an offence in connection with the driving of a motor vehicle.

(5) If upon the trial of a person for an offence against section 22 the court before which the person is tried is not satisfied that his or her driving was the cause of the death but is satisfied that the person is guilty of driving as mentioned in subsection (1), the court may convict the person of an offence under this section.

(6) Upon the trial of a person who is indicted for manslaughter in connection with the driving of a motor vehicle by the person, the court by which the person is tried may, if satisfied that the person commits an offence under this section, find him or her guilty of that offence.

Careless driving

24. (1) A person who drives a motor vehicle on a road without due care and attention, or without reasonable consideration for other persons using the road, commits an offence.

Penalty: As provided in section 45(2).

(2) A person convicted of an offence under this section is, without affecting the power of the court to order a longer period of disqualification, liable to be disqualified for a period of 12 months from the date of conviction from holding or obtaining a licence.

Mobile telephones, hand-held radios and other hand-held communication devices

24A. (1) A person must not drive a vehicle on a road while holding a mobile 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 subsection (1) if, at the time of the alleged contravention the person is—

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

(3) A person who contravenes subsection (1) commits an offence.
Penalty: A fine of £1000.

Punishment of persons driving motor vehicles when under influence of drink or drugs

25³. *Repealed*

Duty to give name and address and to stop, and power of arrest in certain cases

26. (1) A driver of a motor vehicle who is alleged to have committed an offence under the foregoing provisions of this Ordinance as to reckless or dangerous driving or careless driving who, on being required by any person having reasonable grounds for so requiring, to give his or her name and address, refuses, or gives a false name or address, commits an offence.

Penalty: As provided in section 45(2).

(2) A police officer may arrest without warrant the driver of a motor vehicle who within the officer's view commits an offence under this Ordinance as to reckless or dangerous driving, unless the driver is known to the police officer or gives his or her name and address or produces his or her licence.

(3) A person driving a motor vehicle on a road and a person riding on a road a bicycle or tricycle, not being a motor vehicle, must stop the same on being so required by a police officer in uniform, and if the person fails so to do the person commits an offence.

Penalty: A fine of £50.

³ Repealed and replaced by Road Safety Ordinance, 2010

Restriction on prosecutions under the preceding sections

27. (1) If a person is prosecuted for an offence under any provision of this Part relating respectively to the maximum speed at which motor vehicles may be driven, the checking of speed and other safety measures to be taken, reckless or dangerous driving, or careless driving, the person must not be convicted unless either—

- (a) the person was warned at the time the offence was committed that the question of prosecuting him or her for an offence under one or other of those provisions would be taken into consideration;
- (b) within 14 days of the commission of the offence a summons for the offence was served on the person; or
- (c) within the said 14 days a notice of the intended prosecution specifying the nature of the alleged offence and the time and place where it is alleged to have been committed was served on the person or on the person registered as the owner of the vehicle at the time of the commission of the offence.

(2) The requirement of subsection (1) does not apply if, at the time of the offence, or immediately afterwards, an accident occurs by reason of the offence.

(3) Failure to comply with the requirement of subsection (1) is not a bar to the conviction of an accused person if the court is satisfied that—

- (a) neither the name and address of the accused nor the name and address of the registered owner, if any, could with reasonable diligence have been ascertained in time for a summons or a notice to be served or sent in compliance with the requirement; or
- (b) the accused by his or her own conduct caused or contributed to the failure.

(4) If a person is prosecuted on indictment for—

- (a) an offence to which subsection (1) does not apply; or
- (b) an offence to which that section does apply, but as respects which the requirement of that section has been satisfied,

that subsection does not prejudice any power of a court on the charge for that offence, if the person is found not guilty of it, to find the person guilty of an offence under section 23 or 24.

Duty to stop in case of accident

28. (1) If in any case, owing to the presence of a motor vehicle on a road, an accident occurs whereby damage or injury is caused to any person, vehicle or animal, or whereby any damage is caused to any property not belonging to the driver or person in control of such vehicle, the driver of the motor vehicle must stop and, if required so to do by any person having reasonable grounds for so requiring, give his or her name and address and also the name and address of the owner and the identification mark of the vehicle.

(2) If in the case of any such accident as aforesaid the driver of the motor vehicle does not give his or her name and address to any such person as aforesaid, the driver must report the accident to a police station or to a police officer as soon as reasonably practicable, and in any case within 24 hours of the occurrence of it.

(3) In this section, the expression “**animal**” means any horse, cattle, ass, mule, sheep, pig, goat or dog.

(4) A person who person fails to comply with this section commits an offence.
Penalty: As provided in section 45(2).

Restrictions on persons being towed by or getting onto or tampering with motor vehicles

29. (1) A person who, otherwise than with lawful authority or reasonable cause, takes or retains hold of or gets onto a motor vehicle while it is in motion on any road, for the purpose of being drawn or carried, commits an offence.

Penalty: On a first conviction, a fine of £50; on a second or subsequent conviction, a fine of £100.

(2) A person who, while a motor vehicle is on a road or on a parking place, without lawful authority or reasonable cause gets onto the vehicle or tampers with the brake or other part of its mechanism, commits an offence.

Penalty: As provided in section 45(2).

Taking motor vehicle without owner's consent or other authority to be an offence

30. (1) A person who takes and drives away any motor vehicle without having either the consent of the owner of it or other lawful authority commits an offence.

Penalty: A fine of £500 or imprisonment for 18 months, or both.

(2) If on a prosecution under subsection (1) the accused shows that he or she acted in the reasonable belief that he or she had lawful authority, or the reasonable belief that the owner would, in the circumstances of the case, have given consent, if the owner had been asked for it, the accused is not liable to be convicted of an offence.

Power of police officer to require production of documents

31. (1) Any such person as follows, that is to say—

- (a) a person driving on a road a motor vehicle; or
- (b) a person whom a police officer has reasonable cause to believe to have been the driver of a motor vehicle at a time when an accident occurred owing to its presence on a road; or
- (c) a person whom a police officer has reasonable cause to believe to have committed an offence in relation to the use on a road of a motor vehicle,

must, on being so required by a police officer, give his or her name and address and the name and address of the owner of the vehicle and produce for examination his or her licence granted under section 14 or his or her foreign driving licence and the relevant policy or other evidence of compliance with the requirements of the Motor Vehicles (Third Party Insurance) Ordinance, 1962 (SH).

(1A) A person who fails to comply with subsection (1) commits an offence, subject to subsections (2) and (3).

Penalty: A fine of £250.

(2) A person must not be convicted of an offence under subsection (1) by reason only of failure to produce any licence or any policy or other evidence to a police officer if within 5 days after the date on which the production was required, it is produced at the police office in Georgetown.

(3) A person must not be convicted of an offence of failing to produce a licence if it appears to the court, on the balance of probabilities, that such failure was due to that licence having been lost or to some other reasonable cause.

PART VI - RIDING OF PEDAL CYCLES AND OFFENCES CONNECTED THEREWITH

Reckless and dangerous cycling

32. A person who rides a bicycle or tricycle, not being a motor vehicle, on a road recklessly, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the road, and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the road, commits an offence.

Penalty: A fine of £50; or on a second or subsequent conviction, a fine of £100 or imprisonment for 3 months.

Careless or inconsiderate cycling

33. A person who rides a bicycle or tricycle, not being a motor vehicle, on a road without due care and attention, or without reasonable consideration for other persons using the road, commits an offence.

Penalty: A fine of £20; or on a second or subsequent conviction, a fine of £50.

Cycling when under the influence of drink or drugs

34. (1) A person who, when riding a bicycle or tricycle, not being a motor vehicle, on a road or other public place, is unfit to ride through drink or drugs commits an offence.

Penalty: A fine of £25; or on a second or subsequent conviction, a fine of £50 or imprisonment for 3 months.

(2) A police officer may arrest without warrant a person committing an offence under this section.

(3) In this section “**unfit to ride through drink or drugs**” means, as regards a person riding a bicycle or tricycle, under the influence of drink or a drug to such an extent as to be incapable of having proper control of it.

Restriction on carriage of persons on bicycles

35. (1) It is not lawful for more than one person to be carried on a road on a bicycle not propelled by mechanical power unless it is constructed or adapted for the carriage of more than one person.

(2) If a person is carried on a bicycle in contravention of subsection(1), each of the persons carried commits an offence.

Penalty: A fine of £10; or on a second or subsequent conviction, a fine of £20.

(3) In this section references to a person carried on a bicycle include references to the person riding the bicycle.

PART VII - MISCELLANEOUS

Highway Code

36. (1) The Highway Code for the time being in force in St Helena is the Highway Code for Ascension.

(2) A failure on the part of any person to observe any provision of the Highway Code does not of itself render that person liable to criminal proceedings of any kind, but any such failure may in any proceedings (whether civil or criminal, and including proceedings for an offence under this Ordinance) be relied upon by any party to the proceedings as tending to establish or negative any liability which is in question in those proceedings.

Power of Administrator

37. (1) The Administrator may at any time by notice restrict or prohibit the use of any road or any part of any road by vehicles or vehicles of any particular class or description if owing to the likelihood of danger to the public it appears to the Administrator necessary that such restriction or prohibition should come into force without delay.

(2) So long as the prohibition or restriction under subsection (1) is in force, a notice must be kept posted in a conspicuous manner at each end of the part of the road to which the order relates, and at the points at which it will be necessary for vehicles to diverge from the road.

(3) A person who uses or permits the use of a vehicle in contravention of any restriction or prohibition imposed under this section commits an offence.

Penalty: A fine of £10; and on a second or subsequent conviction, a fine of £20.

Erection of traffic signs

38. (1) The Administrator must cause traffic signs to be placed on or near any road as required.

(2) The Administrator may enter any land and exercise all other powers necessary for the purpose of the exercise and performance of the Administrator's powers and duties under this section.

(3) In this Part of this Ordinance, the expression "**traffic sign**" includes warning sign-posts, direction posts, signs, or other devices for the guidance or direction of persons using roads.

Neglect of traffic signs

39. If a police officer is for the time being engaged in the regulation of traffic on a road, or where a traffic sign has been lawfully placed on or near any road in accordance with section 38, a person driving or propelling a vehicle who—

(a) neglects to stop the vehicle or to make it proceed in, or keep to, a particular line of traffic when directed so to do by the police officer in the execution of his or her duty; or

(b) fails to comply with the indication of the sign, commits an offence.

Penalty: As provided in section 45(2).

Leaving vehicles in dangerous position

40. A person in charge of a vehicle who causes or permits the vehicle or any trailer drawn by it to remain at rest on any road in such a position or in such a condition or in such circumstances as to be likely to cause danger to other persons using the road commits an offence.

Penalty: As provided in section 45(2).

Stretching of ropes, etc, across highways

41. A person who for any purpose places or causes to be placed any rope, wire or other apparatus across a highway or any part thereof in such a manner as to be likely to cause danger to persons using the highway commits an offence, unless the person proves that the person had taken all necessary means to give adequate warning of the danger to other persons using the road.

Penalty: As provided in section 45(2).

Regulation of traffic by signs

42. (1) The Administrator may cause prescribed signs to be erected on or near a road for the purpose of regulating the use of the road by vehicles and (without limiting that power) such signs may prescribe—

- (a) the maximum speed at which a vehicle may be driven on the road;
- (b) the direction in which a vehicle may or may not travel on the road;
- (c) a class of vehicle that may not use the road;
- (d) the priority of precedence of vehicles at road junctions;
- (e) a part of a road on which a vehicle may or may not be parked or allowed to stand, or the maximum period during which a vehicle may be parked or allowed to stand on a part of the road.

(2) Section 38(2) applies to the erection of signs under this section.

(3) A person who drives or uses a vehicle in contravention of an instruction, prohibition or restriction conveyed by means of a sign erected under this section commits an offence.

Penalty: A fine of £200.

(4) The Administrator may, with the approval of the Governor, make rules prescribing signs and the meaning of each sign for the purpose of subsection (1).

Evidence of speed

42A. (1) If, in any criminal proceedings, the speed at which a motor vehicle travelled on any occasion is relevant, evidence of the speed of the vehicle as indicated or determined on that occasion by a prescribed measuring device when tested, sealed and used in the prescribed manner is, without affecting any other mode of proof and in the absence of evidence to the contrary, proof of the speed of the motor vehicle on that occasion.

(2) A certificate in the prescribed form to the effect that a device referred to in subsection (1) has been tested or sealed in the prescribed manner, signed or purporting to be signed by a person authorised to do so by rules is, without affecting any other mode of proof

and in the absence of evidence to the contrary, proof that the device has been so tested or sealed.

(3) The Governor may make rules prescribing speed measuring devices and regulating their use, maintenance and testing.

(4) A person who, without proper authority, wilfully interferes with the time measuring or speed computing components of a radar device or any seal affixed to such a device, commits an offence.

Penalty: A fine of £500.

PART VIII - GENERAL

Penalty for contravention of regulations

43. A person who acts in contravention of, or fails to comply with, any regulation made by the Governor under this Ordinance commits an offence.

Penalty: A fine of £150.

False statements in connection with licences and certificates

44. A person who –

(a) for the purpose of obtaining the grant of any licence to that or any other person, knowingly makes any false statement; or

(b) for the purpose of obtaining the issue of a certificate of competence makes any false statement or withholds any material information,

commits an offence.

Penalty: A fine of £100 or imprisonment for 6 months, or both.

Prosecution and penalties for offences

45. (1) Save as otherwise expressly provided for, all offences under this Ordinance are to be prosecuted in the Magistrates' Court.

(2) A person who commits an offence under this Ordinance for which no special penalty is provided is liable in the case of a first offence to a fine not exceeding £100, and in the case of a second or subsequent conviction, to a fine not exceeding £300, or to imprisonment for a term not exceeding 6 months or to both such fine and imprisonment.

(3) If the driver of a vehicle is alleged to have committed an offence under this Ordinance—

(a) the owner of the vehicle must give any information the owner is required by a police officer to give as to the identity of the driver, and, if the owner fails to do so, the owner commits an offence unless the owner shows to the satisfaction of the court that the owner did not know and could not with reasonable diligence have ascertained who the driver was; and

(b) any other person must, if required as aforesaid, give any information which it is in that person's power to give and which may lead to the identification of the driver, and, if the person fails to do so, the person commits an offence.

Penalty: As provided in subsection (2).

Power to exempt

46. The Governor may by notice, from time to time and either generally or for a period stated in the notice and subject to any conditions stated in the notice, exempt from any provision of this Ordinance or of any regulations or rules made under it any person or class or description of persons or any vehicle or class or description of vehicles.

ROAD TRAFFIC ORDINANCE, 1984

ROAD TRAFFIC REGULATIONS, 1984

(Section 4)

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PART I - PRELIMINARY

Citation

1. These Regulations may be cited as the Road Traffic Regulations, 1984.

Interpretation

2. In these Regulations—

“**hours of darkness**” means the period from half an hour after sunset to half an hour before sunrise;

“**motor car**” means a motor vehicle (not being a motor cycle or invalid carriage) which is constructed to carry a load of not more than 6 passengers and the weight of which unladen does not exceed 35 cwt;

“**pedal cycle**” means a pedal bicycle or pedal tricycle not being in either case equipped for propulsion by mechanical power.

Exemptions

3. If the motor licensing officer certifies that any vehicle, not being a motor vehicle constructed to carry a load or passengers, is of such an exceptional kind that it is proper to permit its use on a road without compliance with all such provisions of these Regulations as would otherwise apply to its use, the Administrator may notwithstanding the provisions of these Regulations permit its use subject to such conditions as may to him seem fit.

PART II - GENERAL

Power of police to stop, test, etc

4. (1) Any police officer in uniform may test and inspect on any road, or, subject to the consent of the owner of the premises and of the owner of the vehicle, on any premises where the vehicle is, any brakes, silencers or steering gear fitted to a motor vehicle or trailer.

(2) Any police officer in uniform who has reasonable cause to believe that a motor vehicle is being used in contravention of the Ordinance or these Regulations or has been concerned in an accident may order that the motor vehicle be stopped until it has been examined by an inspector or be produced to an inspector for inspection.

Travelling on running board

5. No person may be carried on the running board of a motor vehicle.

Towing of cycles

6. A person riding a motor cycle or pedal cycle must not permit himself or herself to be drawn by a motor vehicle.

Motor cycle helmets

6A. Every person driving, riding or being carried as a passenger on a motor cycle or a quadricycle on a road must at all times while the vehicle is in motion wear a properly fitting protective helmet of a type approved by the Administrator.

PART III - DRIVING LICENCES

Definition of “driving licence”

7. In this Part “driving licence” means a licence granted pursuant to Part IV of the Ordinance.

Signature of driving licence

8. Every person to whom a driving licence is granted must forthwith sign it with his or her usual signature and if the person fails to do so, or if on production of the driving licence to any person entitled to demand production thereof it does not bear his or her usual signature, the person commits an offence.

Penalty: As provided in section 45(2) of the Ordinance.

Duplicate driving licence

9. (1) If the motor licensing officer is satisfied that any original driving licence has been lost or defaced, the officer must issue to the person to whom the original licence was granted a duplicate of it containing any endorsements of the original licence, and such duplicate has the same effect as the original licence.

(2) If a person to whom a duplicate driving licence has been issued by reason that an original driving licence has been lost finds the original licence during the currency thereof the person must return the original licence to the motor licensing officer.

Provisional licence

10. (1) A provisional licence must only be granted subject to the conditions that until the holder of it has passed the appropriate test—

- (a) the holder will, except in the case of a vehicle (other than a motor car) which is not constructed or adapted to carry more than one person or when the holder is undergoing a test, use it only when under the supervision of a person who is present in the vehicle with the holder and who holds and has held for not less than 2 years a driving licence, not being a provisional driving licence, author-

ising the person to drive a vehicle of the same class as the vehicle being driven by the holder of the provisional licence:

Provided that for the purpose of this paragraph a motor cycle is not deemed to be constructed or adapted to carry more than one person unless it has a sidecar constructed for the carriage of a passenger attached;

- (b) the holder will not, in the case of a motor cycle to which a sidecar is not attached, carry a passenger who is not the holder of a driving licence, not being a provisional licence, authorising him or her to drive a motor cycle, having been the holder of a driving licence for not less than 2 years;
- (c) the holder will comply with any further requirements relating to the driving of motor vehicles expressed in the provisional licence;
- (d) the vehicle while being driven by the holder will clearly display in a conspicuous position on the front and on the back of the vehicle a distinguishing mark in the form of a letter L in red on a white ground, which letter must be not less than 4 inches high.

PART IV - LICENSING OF VEHICLES

Definition of "licence"

11. In this Part "licence" means a licence for a motor vehicle or trailer issued pursuant to section 10 of the Ordinance.

Registration mark

12. (1) To every motor vehicle for which a licence is granted the motor licensing officer must assign a registration mark, and no motor vehicle other than a vehicle which is the property or is provided for the use of the Governor is to be used on any road unless the registration mark of the vehicle is exhibited in conformity with this regulation.

(2) The registration mark must be exhibited on a flat plate or on a flat unbroken surface forming part of the vehicle, and except in the case of a motor cycle the plate or surface must be rectangular.

(3) The registration mark must be exhibited on the front and on the back of the vehicle:

Provided that when one or more trailers are drawn by a motor vehicle the registration mark required to be exhibited on the back of that motor vehicle or a duplicate of that registration mark must be exhibited on the back of the rearmost trailer drawn, in the same manner as it is required to be exhibited upon the back of the drawing vehicle.

- (4)** (i) Except as provided in sub-paragraph (ii), the registration mark of every motor vehicle must be exhibited so that in normal daylight the characters of the front and rear registration marks are easily distinguishable by an observer directly in front of or behind the vehicle as the case may be who is not less than 10 feet and in the case of a motor cycle not more than 60 feet and in every other case not more than 75 feet from the registration mark observed.
- (ii) Notwithstanding the other provisions of this regulation it is not necessary for a motor cycle or invalid carriage to display a front registration mark

and in no case must such a vehicle carry a number plate which could cause injury to any person by reason of its projection.

- (iii) Subject to regulation 52, whenever during the hours of darkness a motor vehicle is upon a road, a lamp must be kept burning so contrived as to illuminate, by means of reflection, transparency or otherwise, every letter and figure of the registration mark exhibited on the back of the motor vehicle or on the rearmost vehicle attached to the back of the motor vehicle as the case may be, and to render them easily distinguishable in the absence of fog by an observer directly behind the vehicle who is not less than 10 feet and in the case of a motor cycle not more than 50 feet and in every other case not more than 60 feet from the registration mark, and such lamp must be on the motor vehicle or such rearmost vehicle as the case may be.
- (5)
- (i) Unless the registration mark is so constructed that it can be illuminated by transparency or translucency, it must be formed of white, silver or light grey letters and figures upon a black surface and every letter or figure must be indelibly inscribed or so attached to such surface that it cannot readily be detached from it. If the letters and figures are exhibited on a flat plate the plate may be constructed of cast or pressed metal with raised letters and figures.
 - (ii) If the registration mark is so constructed and used, that it is illuminated by transparency or translucency, the letters and figures must all, when so illuminated during the hours of darkness, appear white against a black background.
 - (iii) Notwithstanding paragraphs (i) and (ii) above, a registration mark may lawfully be exhibited on a plate which is constructed of reflex reflecting material, being a plate which complies with the requirements laid down by the British Standard Specification for Reflex Reflecting Number Plates published on 11th September 1972 under the number B.S. AU 145a and is of a type in respect of which there has been issued by the Secretary of State a certificate that a plate of that type complies with those requirements, and in such a case—
 - (a) the registration mark, where it is displayed on the front of the vehicle must be formed of black letters and figures upon a white background and if it is displayed on the back of the vehicle must be formed of black letters and figures upon a yellow background;
 - (b) that part of the plate which comprises the said background must be constructed of reflex reflecting material which must at all times be maintained in a clean and efficient condition;
 - (c) no reflex reflecting material may be applied to any part of the said letters or figures; and
 - (d) there must be legibly and permanently marked on the plate the specifications number B.S. AU 145a to indicate that it complies with British Standards Specification mentioned above.
 - (iv) Subject to sub-paragraph (v), the letters and figures must be 3½ inches high, every part of every letter and figure must be 5/8 inch broad, the total width of the space taken by every letter or figure except the figure 1 must

be 2½ inches and the space between adjacent letters or figures must be half an inch.

- (v) In the case of a motor cycle or invalid carriage the dimensions prescribed in sub-paragraph (iv) of this paragraph may be halved.

PART V - CONSTRUCTION AND USE

Speed indicator

13. (1) To every motor vehicle there must be fitted an instrument so constructed and in such a position as at all times readily to indicate to the driver of the vehicle within a margin of accuracy of 10% whether the driver driving at a speed in excess of that permitted by these Regulations:

(2) Sub-regulation (1) does not apply to—

- (a) a land tractor;
- (b) a motor cycle the cylinder capacity of the engine of which does not exceed 100 cubic centimetres;
- (c) a vehicle which is incapable by reason of its construction of exceeding a speed of 12 miles an hour on a level road under its own power.

Provision of reverse gear

14. Every motor vehicle of which the weight unladen exceeds 8 cwts must be capable of being so worked that it may travel either forwards or backwards.

Seat belts

14A. A motor vehicle is deemed not to comply with the requirements relating to construction, equipment and use of motor vehicles, and an inspector examining a vehicle must not issue a certificate for purposes of section 10 of the Ordinance, if any evidence exists that a seat belt that was previously fitted to any seat in such vehicle has been removed without being replaced by a similar seat belt.

Driver's view

15. Every motor vehicle must be so designed and constructed that the driver of it while controlling the vehicle can at all times have a full view of the road and traffic ahead of the vehicle.

Driving mirror

16. Every motor vehicle other than a motor cycle must be equipped with a mirror so constructed and fitted to the vehicle as to assist the driver if he or she so desires to become aware of traffic to the rear of the vehicle.

Safety glass

17. The glass of windscreens and windows facing to the front on the outside of any motor vehicle must be of safety glass.

Windscreen wiper

18. An efficient automatic windscreen wiper must be fitted to every motor vehicle which is so constructed that the driver cannot, by opening the windscreen or otherwise, obtain an adequate view to the front of the vehicle without looking through the windscreen.

Instrument for warning of approach

19. (1) Every motor vehicle must be fitted with an instrument capable of giving audible and sufficient warning of its approach or position:

(2) An instrument fitted pursuant to sub-regulation (1) must not consist of a siren, gong or bell, except in the case of a motor vehicle used for fire-brigade, ambulance or police purposes.

Silencer

20. (1) Every vehicle propelled by an internal-combustion engine must be fitted with a silencer, expansion chamber or other contrivance suitable and sufficient for reducing so far as is reasonable the noise caused by the escape of the exhaust gases from the engine.

(2) With the approval of the Administrator the motor licensing officer may appoint a method of measuring the noise caused by the escape of the exhaust gases from an internal-combustion engine, and a level of noise above which such noise so measured will not be deemed to be reduced as far as is reasonable.

Smoke and visible vapour, construction

21. Every motor vehicle must be so constructed that no avoidable smoke or visible vapour is emitted from it.

Stop light

22. (1) Every stop light fitted to a motor vehicle or trailer must be fitted at the rear of the vehicle and when in operation must show a red or amber light.

(2) Every light shown by a stop light must be diffused by means of frosted glass or other adequate means and must be a steady light.

Maximum dimensions

23. (1) The dimensions of a motor vehicle must not exceed those set out in this paragraph:

Provided that the motor licensing officer may give permission in writing, subject to such conditions as he or she imposes, for the use of a motor vehicle of greater dimensions.

Overall width	7¼ feet.
Overall length	17 feet.
Wheelbase	11 feet.
Height, exclusive of hood or covering	10 feet.

(2) In this regulation—

“overall length” means the length exclusive of any starting handle and of any hood when lowered;

“overall width” means the width measured between vertical planes parallel to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof, exclusive of any mirror conforming with the provisions of regulation 16 of these Regulations;

Maximum overhang

24. (1) The overhang of a motor vehicle must not exceed $7/24$ of the overall length.

(2) In this regulation—

“overhang” means that part of the overall length of a vehicle measured by a line from the centre of the rear axle along the longitudinal axis of the vehicle to the rear of the vehicle exclusive of any hood when lowered.

Brakes of certain types of motor vehicle

25. (1) Every motor vehicle other than a motor cycle must be equipped with an efficient braking system or efficient braking systems, in either case having 2 means of operation so designed and constructed that notwithstanding the failure of any part (other than a fixed member or a brake-shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted there is available for application by the driver to not less than half the number of the wheels of the vehicle brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance:

Provided that in the event of such failure as aforesaid it is not necessary for brakes to be available for application by the driver in the case of a vehicle having less than 4 wheels to more than one wheel.

(2) The application of one means of operation must not affect or operate the pedal or hand lever of the other means of operation.

(3) No braking system is to be rendered ineffective by the non-rotation of the engine.

(4) All the brakes of a motor vehicle other than a motor cycle which are operated by one of the means of operation must be capable of being applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device.

(5) In the case of a motor vehicle other than a motor cycle where any brake shoe is capable of being applied by more than one means of operation all the wheels must be fitted with brakes all of which are operated by one of the means of operation:

Provided that where means of operation are provided in addition to those prescribed by this regulation such additional means of operation may be disregarded for the purpose of this paragraph.

(6) At least one of the means of operation must be capable of causing brakes to be applied directly and not through the transmission gear to not less than half the number of the wheels of the vehicle.

Brakes of motor cycle

26. (1) Every motor cycle must be equipped with an efficient braking system or efficient braking systems, in either case having 2 means of operation so designed and constructed that notwithstanding the failure of any part (other than a fixed member or a brake-shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted there is available for application by the driver to at least one wheel of the vehicle brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance.

(2) The application of one means of operation must not affect or operate the pedal or hand lever of the other means of operation.

Brakes of trailer

27. (1) Except as provided in sub-regulation (2), every trailer exceeding 2 cwts in weight unladen must have an efficient braking system, the brakes of which are capable of being applied when it is being drawn—

- (i) to at least 2 wheels in the case of a trailer having not more than 4our wheels;
- (ii) to at least 4 wheels in the case of a trailer having more than 4 wheels; and
- (iii) to at least half the number of wheels of the trailer,

so constructed that—

- (a) the brakes can be applied either by the driver of the drawing vehicle or by some other person on that vehicle or the trailer, unless the trailer does not exceed one ton in weight unladen or is a living van not exceeding 2 tons in weight unladen and in either case the brakes of the trailer automatically come into operation on the overrun of the trailer;
- (b) the brakes are capable of being set so as effectively to prevent 2 at least of the wheels from revolving when the trailer, whether it is attached to the drawing vehicle or not, is not being drawn.

(2) Sub-regulation (1) does not apply to any broken-down vehicle which is being drawn by a motor vehicle in consequence of the breakdown.

Mudguards

28. Every motor vehicle and trailer must be provided with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of the wheels unless adequate protection is afforded by the body of the vehicle.

Pneumatic tyres

29. Every wheel of a motor vehicle or trailer must be equipped with a pneumatic tyre.

Danger from condition of vehicle, distribution of passengers and load, etc.

30. (1) Every vehicle and all parts and accessories of any vehicle must at all times while the vehicle is used on a road be in such a condition, and the number of passengers carried by, and the weight, distribution, packing, and adjustment of the load of the vehicle must at all times be such that no danger is caused or is likely to be caused to any person on the vehicle or on a road.

(2) The load carried by any vehicle must be so secured that danger is not likely to be caused to any person on a road by reason that the load or any part of it may fall from the vehicle.

(3) No vehicle is to be used for any purpose for which it is so unsuitable as to cause or be likely to cause danger to any person on the vehicle or on a road.

Maintenance of speed indicator

31. (1) Every instrument for indicating speed provided in compliance with the requirements of these Regulations must—

- (a) at all material times be maintained in good working order; and
- (b) be kept free from any obstruction which might interfere with the observation of any indication given by the instrument.

(2) It is a defence to proceedings taken in respect of the maintenance of the instrument to prove that—

- (a) the defect occurred in the course of the journey during which the contravention was detected; or
- (b) at the time when the contravention was detected steps had already been taken to have the defect remedied with all reasonable expedition.

Maintenance of transparent material

32. All glass or other transparent material fitted to a motor vehicle must be maintained in such condition that it does not obscure the vision of the driver while the vehicle is being driven on a road.

Maintenance of brakes and steering

33. Every windscreen wiper required by these Regulations to be fitted to a motor vehicle, every part of every braking system and of the means of operation thereof fitted to a motor vehicle or trailer and all steering gear fitted to a motor vehicle must at all times, while the motor vehicle or trailer is used on a road, be maintained in good and efficient working order and shall be properly adjusted.

Cut-out and maintenance of silencer

34. (1) No person may use or cause or permit to be used on a road and any vehicle propelled by an internal-combustion engine so that the exhaust gases from the engine escape into the atmosphere without first passing through the silencer, expansion chamber or other contrivance required by these Regulations to be fitted.

(2) Every such silencer, expansion chamber or other contrivance must at all times while the vehicle is used on a road be maintained in good and efficient working order, and must not have been altered in such a way that the noise caused by the escape of the exhaust gases is made greater by the alteration.

Maintenance of tyres

35. (1) Except as provided in sub-regulation (2), no person may use or cause or permit to be used on any road any motor vehicle or trailer a wheel of which is fitted with a pneumatic tyre, if—

- (a) the tyre is unsuitable having regard to the use to which the motor vehicle or trailer is being put or to the types of tyres fitted to its other wheels;
- (b) the tyre is not so inflated as to make it fit for the use to which the motor vehicle or trailer is being put;
- (c) the tyre has a break in its fabric, or has a cut in excess of one inch or 10% of the section width of the tyre, whichever is the greater measured in any direction on the outside of the tyre and deep enough to reach the body cords;
- (d) the tyre has any lump or bulge caused by separation or partial failure of its structure;
- (e) the tyre has any portion of the ply or cord structure exposed; or
- (f) if the tyre is fitted to a wheel of a motor cycle of which the cylinder capacity of the engine does not exceed 50 cubic centimetres, the tread of the tyre does not show throughout at least 3/4 of the breadth of the tread and round the entire outer circumference of the tyre a pattern the relief of which is clearly visible, or if the tyre is fitted to the wheel of any other motor vehicle or any trailer, the tread pattern (excluding any tiebar) of the tyre does not have a depth of at least 1 mm. throughout at least 3/4 of the breadth of the tread and round the entire outer circumference of the tyre.

(1A) Sub-paragraph (1) does not apply in the case of a motor cycle that has 3 wheels, the unladen weight of which does not exceed 2 cwts and which is incapable of exceeding a speed of 12 miles per hour on the level under its own power, or in the case of a pedestrian controlled vehicle that is a works truck.

(2) Nothing in sub-paragraph (1) applies to a land locomotive, land tractor, land implement or land implement conveyer, or to an agricultural trailer if the trailer is being drawn by a land tractor; and nothing in that paragraph or in the following paragraph applies to a broken down vehicle or to a vehicle proceeding to a place where it is to be broken up, in either case being drawn by a motor vehicle at a speed not exceeding 20 miles per hour.

(3) No person may use or cause or permit to be used on a road any motor vehicle or trailer a wheel of which is fitted with a recut pneumatic tyre.

(4) Without affecting sub-regulations (1) and (3), all the tyres of a motor vehicle or trailer must at all times while the vehicle or trailer is used on a road be maintained in such condition as to be fit for the use to which the vehicle or trailer is being put, and as to be free from any defect which might in any case damage to the surface of the road or danger to persons on or in the vehicle or to other persons using the road.

Emission of smoke, etc.

36. Every motor vehicle must be maintained in such a condition, and must be so driven and used on a road, that there will not be emitted from it any smoke, visible vapour or oily substance, the emission of which could be prevented or avoided by the taking of any reasonable steps or the exercise of reasonable care, or the emission of which might cause damage to any person or any property or endanger the safety of any person in consequence of any harmful content therein.

Noise due to defects

37. No person may use or cause or permit to be used on a road any motor vehicle or trailer which causes any excessive noise either directly or indirectly as a result of—

- (i) any defect (including a defect in design or construction), lack of repair or faulty adjustment of the motor vehicle or trailer or any part or accessory of the motor vehicle or trailer; or
- (ii) the faulty packing or adjustment of the load of the motor vehicle or trailer.

Noise due to careless use

38. No motor vehicle may be used on a road in such a manner as to cause any excessive noise which could have been avoided by the exercise of reasonable care on the part of the driver.

Interference with wireless telegraphy

39. Every motor vehicle must be fitted with apparatus to suppress any interference with wireless telegraphy that might be caused by the operation of the vehicle.

Stopping of machinery of stationary vehicle

40. (1) The driver of every motor vehicle must, when the vehicle is stationary otherwise than through enforced stoppage owing to the necessities of traffic, stop the action of any machinery attached to or forming part of the vehicle, so far as may be necessary for the prevention of noise.

(2) Sub-regulation (1) does not apply so as to prevent the examination or working of the machinery if any such examination or working is rendered necessary by any failure or derangement of the machinery or where the machinery is required to be working for some ancillary purpose.

Use of audible instrument on stationary vehicle

41. When a motor vehicle is stationary on a road no person may, except for the avoidance of accident, use or permit to be used any audible instrument fitted to the motor vehicle.

Leaving of vehicle on gradient

42. A person in charge of a motor vehicle other than a motor cycle must not leave it on a road in such circumstances that it is liable to be moved by the force of gravity unless a brake has been so set as to prevent such movement and the reverse gear or the lowest forward gear has been engaged.

Position of driver

43. A person while driving a motor vehicle must not be in such a position that he or she does not have not proper control over the vehicle or does not retain a full view of the road and traffic ahead.

Unnecessary reversing

44. A person must not, except in the case of a road roller or other road plant engaged in the construction, maintenance or repair of roads, cause a motor vehicle to travel backwards

for a greater distance or time than is requisite for the safety or reasonable convenience of the occupants of the vehicle or of other traffic on the road.

Obstruction by vehicle

45. A person in charge of a vehicle must not cause or permit it to stand on a road so as to cause any unnecessary obstruction of the road.

Number of persons on motor cycle

46. Not more than one person may be carried on any motor cycle in addition to the driver, and if any person is so carried he or she must not be carried otherwise than sitting astride the motor cycle on a proper seat securely fixed behind the driver's seat and with proper supports or rests for his feet.

Projecting loads

47. (1) Subject to sub-regulations (2) and (3), a load must not be carried on any motor vehicle or trailer if the load projects more than one foot laterally beyond the overall width of the vehicle or if the total width of the load exceeds 9 feet.

(2) The motor licensing officer may authorise by permit in writing, subject to conditions he or she imposes, the carriage by any motor vehicle or trailer of an article, which is to be specified in the permit, which cannot be carried in accordance with sub-regulation (1).

(3) A permit granted pursuant to sub-regulation (2) is valid for one journey only; it must be carried by the driver of the load to which it refers and be produced by him or her on demand to any police officer.

Mascots

48. A mascot must not be carried by a motor vehicle in any position where it is likely to strike any person with whom the vehicle may be in collision if the mascot is liable to cause injury to such person by reason of any projection thereon.

PART VI - VEHICLE LIGHTING

Lamps and reflectors

49. (1) Subject to the provisions of regulation 52 of these Regulations every vehicle on a road shall during the hours of darkness carry—

- (a) two lamps one on either side of the centre line of the vehicle each showing to the front a white light visible from a reasonable distance;
- (b) one lamp on the off side of the centre line of the vehicle, showing to the rear a red light visible from a reasonable distance; and every such lamp shall, while the vehicle is on a road during the hours of darkness, be kept properly trimmed, lighted and in a clean and efficient condition.

(2) Every vehicle on a road shall during the hours of darkness carry on the off side of the centre line of the vehicle an unobscured and efficient red reflector facing the rear.

(3) If a vehicle carries more than one lamp showing to the rear a red light or more than one red reflector facing to the rear, one such lamp or reflector shall in either case be carried on the near side of the centre line of the vehicle.

Colours of lights

50. (1) No vehicle shall, except with the permission of the motor licensing officer, show any light other than a white light to the front.

(2) No vehicle shall show any light other than a red light to the rear, but this sub-regulation shall not apply to lamps carried for the purpose of internal illumination or of illuminating a number plate or to any device for giving signals to overtaking traffic or to a light which is being used for the purpose of enabling the vehicle to travel backwards.

Special provisions as to lights on certain types of vehicle

51. The provisions of regulations 49 and 50 of these Regulations shall apply to bicycles, tricycles and invalid carriages and to vehicles drawn by horses or other animals, subject to the following modifications—

- (a) on bicycles not having a sidecar attached thereto, whether propelled by mechanical power or not, on tricycles not propelled by mechanical power, on invalid carriages and on vehicles drawn by horses or other animals, only a single lamp showing a white light to the front instead of two such lamps need be carried;
- (b) on bicycles not having a sidecar attached thereto, whether propelled by mechanical power or not, and on tricycles not propelled by mechanical power, no lamp need be carried if the bicycle or tricycle is being wheeled by a person on foot as near as possible to the near side of the carriage-way.

Lights on stationary vehicle

52. Nothing in these Regulations shall be deemed to require the lighting of any lamp on a motor vehicle if the vehicle is stationary and—

- (a) is in a parking place prescribed by or in accordance with rules made under the Ordinance; or
- (b) is as near as is practicable to the near side of the road and either the road is lighted by street lamps or the vehicle carries on either side of the centre line of the vehicle two unobscured and efficient white reflectors facing to the front and two unobscured and efficient red reflectors facing to the rear.

Dazzle

53. Any lamp fitted to a vehicle and having a dazzling effect shall be provided with means of eliminating such effect, and such effect shall be eliminated when the vehicle is approached by other persons using the road and/or is proceeding along a road sufficiently lighted by street lamps.

PART VII – SEAT BELTS AND CHILD RESTRAINTS

General interpretation

54. In this Part—

“**adult belt**” means a three-point belt or a lap belt;

“**child restraint**” means—

- (a) a restraining device for the use of a child which is designed either to be fitted directly to a suitable anchorage or to be used in conjunction with an adult belt and held in place by the restraining action of that belt; or
- (b) a seat belt consisting of or comprised in a restraint system fitted in a vehicle being a restraint system to be worn by a child when travelling in the vehicle;

“**lap belt**” means a seat belt which passes across the front of the wearer’s pelvic region and which is designed for use by an adult;

“**restraint system**” means a system combining a seat fixed to the structure of the vehicle by appropriate means and a seat belt for which at least one anchorage point is located on the seat structure;

“**three-point belt**” means a seat belt which—

- (a) restrains the upper and lower parts of the torso;
- (b) includes a lap belt;
- (c) is anchored at not less than 3 points; and
- (d) is designed for use by an adult.

Description of seat belt

55. For the purposes of section 21A, a person shall wear a seat belt of the following description:

- (a) in the case of a person aged 14 years or older - an adult belt;
- (b) in the case of a person under the age of 14 years - either an adult belt or a child restraint appropriate for the age of the child;
- (c) in the case of a disabled person - a belt referred to in paragraph (a) or (b), as the case may be, or a seat belt which has been specially designed or adapted for use by a person suffering from some physical defect or disability and which is intended for use solely by such a person.

Seat regarded as provided with seat belt

56. (1) For purposes of section 21A(3)(e) of the Ordinance, a seat is to be regarded as provided with an adult belt if an adult belt is fixed in such a position that it can be worn by an occupier of that seat.

(2) A seat is not to be regarded as provided with an adult belt if the belt has an inertia reel mechanism which is locked as a result of the vehicle being, or having been, on a steep incline.

(3) A seat is to be regarded as provided with a child restraint if a child restraint is—

- (a) fixed in such a position that it can be worn by an occupier of that seat; or
- (b) elsewhere in or on the vehicle but—
 - (i) could readily be fixed in such a position without the aid of tools; and
 - (ii) it is not being worn by a child for whom it is appropriate and who is occupying another seat.

Front and rear seats of vehicle

57. (1) For purposes of section 21A of the Ordinance, every part of the vehicle forward of the transverse vertical plane passing through the rearmost part of the driver's seat is to be regarded as the front of the vehicle and, accordingly, no part of the vehicle to the rear of that plane is to be regarded as being in the front of the vehicle.

(2) The front seat in relation to a vehicle means a seat which is wholly or partially in the front of the vehicle and the rear seat in relation to a vehicle means any seat which is not a front seat.

PART VIII- MISCELLANEOUS

Fees

58⁴. The fees to be charged for the purposes of the Ordinance shall be those set out in the First Schedule to these Regulations:

Provided that no fees shall be charged in respect of motor vehicles or trailers owned by the Governor or the Crown.

Prescribed forms

59⁵. The forms of licences and other documents issued or used for the purposes of the Ordinance shall, subject to such modifications and adaptations as local circumstances require, be those set out in the Second Schedule hereto.

FIRST SCHEDULE

(Regulation 58)

FEES (£)	Year commencing 1 April:				
	2014	2015	2016	2017	2018
PART 1					
DRIVING LICENCES					
1. (a) For duration of 12 calendar months			14.10	16.20	18.30
(b) For duration of 24 calendar months			28.20	32.40	36.60
2. Issue of certificate of competence	15.00	17.30	19.60	22.00	24.30
PART 2					
REGISTRATION AND LICENSING OF VEHICLES					
1. Registration of motor vehicle	10.00	12.00	14.10	16.20	18.30
2. Amendment of registration of motor vehicle on change of ownership	10.00	12.00	14.10	16.20	18.30

⁴ Amended by L.N. A1/2009. Previously regulation 55 and renumbered as regulation 59 by L.N.A2/2009

⁵ Previously regulation 54 and renumbered as regulation 58 by L.N. A2/2009

3. Licence fees for motor vehicles and trailers:

A	Private motor car	30.00	31.60	33.25	34.85	36.50
B	Private motor lorry, landrover not in class A or C or transit bus	58.00	61.00	64.50	68.50	73.00
C	Public service vehicle of 2000cc engine capacity or less	58.00	61.00	64.50	68.50	73.00
D	Public service vehicle of over 2000cc engine capacity	58.00	61.00	64.50	68.50	73.00
E	Motor cycle not exceeding 125cc engine capacity	15.00	17.30	19.60	22.00	24.30
F	Motor cycle from 125cc up to and including 250cc	15.00	17.30	19.60	22.00	24.30
G	Motorcycles and Quadricycles over 250cc	22.50	24.50	26.50	28.50	30.50
H	Quadricycles up to and including 250cc	22.50	24.50	26.50	28.50	30.50
J	All other classes of Motor vehicles	58.00	61.00	64.50	68.50	73.00
K	Trailer	20.00	22.60	25.20	27.80	30.50
4.	Inspection of motor cycle	20.00	21.00	22.00	23.15	24.30
5.	Inspection of any other motor vehicle	25.00	26.25	27.50	29.00	30.50

SECOND SCHEDULE
(Regulation 58)

FORM A

ROAD TRAFFIC ORDINANCE, 1984

**APPLICATION FOR REGISTRATION OF MOTOR VEHICLE
OR TRAILER**

Name of Owner

.....

Make of Vehicle

.....

Description of Vehicle (tourer, saloon, lorry or otherwise)

.....

Capacity of Vehicle for conveyance of passengers or goods

.....

Year of Manufacture

.....

Chassis No

Horsepower

Tare

.....

.....

....

Overall width	Overall length
.....
Wheel base	Overhang
.....
Height (exclusive of hood or covering)	
.....	
If desired to convert for carriage of passengers, state proposed seating capacity	
Remarks (if any)	
.....	

I hereby certify that the foregoing particulars are correct in every respect.

Date

.....

Signature of Owner.

FORM B

ROAD TRAFFIC ORDINANCE, 1984

NOTIFICATION OF CHANGE OF OWNERSHIP OF MOTOR VEHICLE OR TRAILER

To the Motor Licensing Officer.

I hereby notify you that on ^(a)

..... I became the
owner/part owner of the motor vehicle/ trailer, Registered No
....., formerly registered in the name of ^(b)
....., by reason of ^(c)

.....
^(d) My ownership in the vehicle consists of
..... share.

Date

.....

..... Signature of Owner or Part Owner.

- ^(a) Insert date vehicle acquired by new owner or part owner.
- ^(b) Insert name of former owner.
- ^(c) State how vehicle (or share in vehicle) acquired, e.g. purchase, gift, exchange, etc.
- ^(d) To be completed in case of part ownership only.

FORM C

ROAD TRAFFIC ORDINANCE, 1984

NOTIFICATION OF CUSTODY OR USE OF MOTOR VEHICLE OR

TRAILER

To the Registrar of Motor Vehicles.

I hereby notify you that on ^(a)

..... I became entitled to the custody and/or use of the motor vehicle/trailer, Registered No, formerly registered in the name of ^(b), by reason of the death of the owner thereof.

(NOTE: If not entitled to full ownership, give below particulars of rights of ownership or possession)

.....

Date
.....

Signature of person entitled to Custody or Use.

^(a) Insert date.

^(b) Insert name of previous owner or part owner.

FORM D (1)

(All motor vehicles other than motor cycles)

ROAD TRAFFIC ORDINANCE, 1984

ROADWORTHINESS CERTIFICATE

Vehicle No., Make, Owner has been tested by me at rest and in motion, with the following results.

Date

.....
Signature of Inspector.

Result of Examination	Passed	Failed	Remarks
-----------------------	--------	--------	---------

<p>BRAKES: Examine all linings and shoes, front and rear, including conditions of brake drums.</p> <p>Examine for uneven braking between one wheel and another.</p>				
<p>BRAKING SYSTEM: Examine brake rods and cables for rubbing and chafing.</p> <p>Examine hand brake pawls and ratchets.</p>				
<p>HYDRAULIC SYSTEMS: Examine for leaks or chafing and freedom from air.</p> <p>Examine for oil leakages in brake drums or hubs</p>				
<p>STEERING: Examine track rods, arms, balls and sockets, king pins and pitman arm.</p> <p>Examine steering box, whether properly secured to mounting.</p> <p>Examine for excessive movement at steering wheel.</p> <p>Examine steering column mounting inside cab.</p>				
<p>LIGHTING As prescribed by the Road Traffic (Ascension) Regulations.</p> <p>(a) front lamps</p> <p>(b) rear light</p> <p>(c) Dazzling effect.</p>				
<p>FRONT WHEELS: Examine whether hub bearings</p>				

properly adjusted.				
WINDSCREEN WIPER: Examine whether working properly				
HORN: Examine whether functioning properly.				
SPEEDOMETER: Examine whether functioning properly.				
TYRES: (including spare tyre) (a) Condition (b) Percentage of Wear.				
VEHICLE TESTED IN MOTION ON GRADIENT I IN 6: Parking brake. Foot brake.				

CERTIFICATE

(To be completed only in the case of vehicles that satisfactorily pass all parts of the test)

I certify that the above motor vehicle complies with the requirements of the Road Traffic (Ascension) Regulations, and that its condition is not such as to cause danger to any person travelling in it or being upon any road.

Date

Signature of Inspector.

FORM D (2)

(Motor Cycles)

ROAD TRAFFIC ORDINANCE, 1984

ROADWORTHINESS CERTIFICATE

Vehicle No., Make
 Owner
 has been tested by me with the following results.

Date

Signature of Inspector.

	Result of Examination	Passed	Failed	Remarks
<p>BRAKES. Examine brake rods and cables for rubbing and chafing.</p> <p>Examine bolts and clevis pins.</p> <p>Examine foot pedal and hand lever for adequate reserve of travel.</p> <p>Examine for oil leakages affecting brake linings.</p>				
<p>STEERING GEAR: Examine front fork and handle bars for excessive play.</p> <p>Examine hydraulic and spring forks for correct functioning and freedom of movement.</p> <p>Examine handle bars for firmness of mounting.</p>				
<p>FRAME. Examine for cracks and breaks.</p>				

WHEELS. Examine hub bearings for excessive slackness.				
LIGHTING As prescribed by the Road Traffic (Ascension) Regulations. (a) rear light reflector (b) head light dazzle				
HORN: Examine whether functioning properly.				
TYRES. (a) Condition (b) Percentage of Wear.				

CERTIFICATE

(To be completed only in the case of vehicles that satisfactorily pass all parts of the test)

I certify that the above motor vehicle complies with the requirements of the Road Traffic (Ascension) Regulations, and that its condition is not such as to cause danger to any person travelling in it or being upon any road.

Date

Signature of Inspector.

FORM E

ROAD TRAFFIC ORDINANCE, 1984

MOTOR VEHICLE OR TRAILER LICENCE

Licence is hereby granted to

..... subject to the

provisions of the ROAD TRAFFIC ORDINANCE, 1984 and any Regulations made thereunder, to use on any road the motor vehicle/trailer described below, until the day of, 20..... .

DESCRIPTION OF MOTOR VEHICLE OR TRAILER

Registered No	Chassis No
Type of Vehicle	Make
Maximum number of passengers permitted	
Fee paid	
Date	
..... Signature of Motor Licensing Officer	

FORM F

ROAD TRAFFIC ORDINANCE, 1984

APPLICATION FOR LICENCE TO DRIVE A MOTOR VEHICLE

The Applicant should answer all the questions on this form and submit it, together with his present licence (if any) and the prescribed fee, to the Licensing Officer.

1. From what date do you want the licence to run?	
2. What is your surname? (answer in BLOCK CAPITALS)	
3. What are your full Christian names? (answer in BLOCK CAPITALS and insert Mr. Mrs., or Miss etc. as the case may be).	
4. What kind of licence do you want? (State class or classes of motor vehicle you wish to drive—see note 1. If you have not	

previously held a driving licence, insert “Provisional”).	
5. What is your age? (If over 21 write “Over 21”).	
6. Has any court over the last three years ordered a conviction to be endorsed on your licence? This includes an order for disqualification. (Answer “Yes” or “No”. If “Yes”, give date and particulars).	
7. Are you disqualified by any court from holding or obtaining a driving licence? (Answer “Yes” or “No”).	
8. Have you ever been refused a driving licence or had one revoked by any licensing authority? (Answer “Yes” or “No”. If “Yes”, name the licensing authority and give date).	
9. Do you suffer from epilepsy, or from sudden attacks of disabling giddiness or fainting (Answer “Yes” or “No”).	
10. Can you read at a distance of 25 yards in good daylight, with glasses if worn, a motor car number plate containing not less than three letters or figures? (Answer “Yes” or “No”).	
11. Are you without hand or foot, or are you suffering from any defect in movement, control or muscular power of either leg or arm? (Answer “Yes” or “No”).	
12. Are you suffering from any other disease, mental or physical, or disability which would be likely to cause the driving by you of a motor vehicle to be a source of danger to the public? (Answer “Yes” or “No”).	
13. Have you studied the St Helena Highway Code? (Answer “Yes” or “No”).	
14. Do you understand that (subject to statutory exceptions) it is an offence to use a motor vehicle on a road unless covered by insurance against third party risks?— see note 2. (Answer “Yes” or “No”).	

I declare that to the best of my knowledge and belief the answers given above are true. (see note 3).

.....

Signature of Applicant.

Date

Note 1 Classes of Motor Vehicles—

- A. *Private motor cars*
- B. *Private motor lorries, transit buses, and landrovers which are in neither Class A nor Class C*
- C. *Public service Vehicles of gross weight not exceeding 4,000lbs (1,800Kgs)*
- D. *Public Service vehicles of gross weight exceeding 4,000lbs (1,800Kgs)*
- E. *Motorcycles up to and including 125cc*
- F. *Motorcycles from 125cc up to and including 250cc*
- G. *Motorcycles and Quadricycles over 250cc*
- H. *Quadricycles up to and including 250cc*
- J. *All other classes of Motor Vehicles*

Note 2 A person who uses a motor vehicle on a road without there being in force a policy of insurance against third party risks as required under the provisions of the Motor Vehicles (Third Party Insurance) Ordinance, is liable to a fine not exceeding £250 or to imprisonment for a term not exceeding 6 months, or to both such fine and imprisonment and is also liable to be disqualified for holding a driving licence (Motor Vehicles (Third Party Insurance) Ordinance, section 3).

Note 3 An applicant who, for the purpose of obtaining a licence, knowingly makes any false statement is liable to a fine not exceeding £100 or to imprisonment for a term not exceeding 6 months or to both such fine and imprisonment (Road Traffic Ascension Ordinance, section 44).

FORM G

ROAD TRAFFIC ORDINANCE, 1984

DRIVING LICENCE

No

..... of

....., Ascension is hereby licensed to drive motor vehicles of Class/Classes from to, inclusive.

Fee

.....
Motor Licensing Officer

Usual Signature of Licensee

FORM H

ROAD TRAFFIC ORDINANCE, 1984

CERTIFICATE OF COMPETENCE

I hereby certify that I have tested.....over the prescribed route as to his/her competence to drive a motor vehicle of the class or description stated below and as to his/her knowledge of the Highway Code and that I have satisfied myself that he/she is competent to drive and control a motor vehicle of the class stated below and possesses an adequate knowledge of the Highway Code.

Class or description of Vehicle—

.....

Signature of Examiner

Date

FORM I

ROAD TRAFFIC ORDINANCE, 1984

PROVISIONAL DRIVING LICENCE

No

..... of
....., Ascension is hereby licensed to
drive a motor vehicle of Class from
..... to inclusive subject to the conditions
endorsed hereon.

Fee

.....

Motor Licensing Officer

Usual Signature of Licensee

.....

CONDITIONS

1. The holder of a provisional licence when driving any motor vehicle which he is not qualified by test to drive, must carry the prescribed "L" plates at the front and back of the vehicle.

2. The licensee must be accompanied by a supervisor except when driving a solo motor cycle or a vehicle, other than a motor car, not constructed or adapted to carry more than one person. The supervisor must hold a current annual licence to drive the class of vehicle being driven by the provisional licence holder and must have passed the driving test and held licences to drive for not less than two years.

3. When driving a solo motor cycle the licensee must not carry any pillion passenger except a licence holder as in paragraph 2 above.

4. The licensee shall not take charge of the steering wheel on or when approaching and passing blind corners and dangerous bends, declivities or animals unless or until the instructor is satisfied as to the ability of the licensee to avoid injury or damage to life and property.”.

ROAD TRAFFIC ORDINANCE, 1984

ROAD TRAFFIC (TRAFFIC SIGNS) RULES, 1984

(Section 42(4))

Citation

1. These rules may be cited as the Road Traffic (Traffic Signs) Rules, 1984.

Prescribed signs

2. (1) The signs specified in Part 1 below are prescribed signs for the purposes of section 42 of the Road Traffic Ordinance, 1984.

- (2) The meaning of each sign is specified in Part 2 below.

PART 1

PRESCRIBED SIGNS



A1



A2



A3



A4



A5



A6



A7



A8



A9



B1



B2



B3



B4

B5

B6

LONGITUDINAL ROAD MARKINGS



B7



C1



C2

TRANSVERSE ROAD MARKINGS



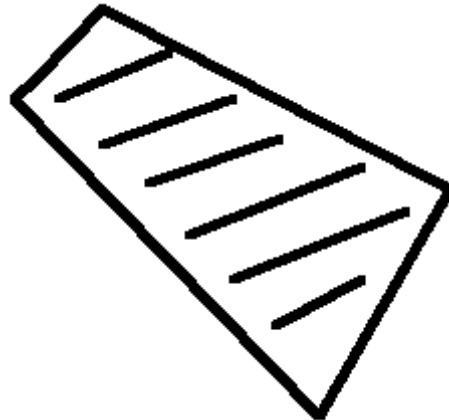
C3



C4



C5



C6

PARKING RESTRICTIONS (ROADSIDE MARKINGS)



C7



C8



C9

PART 2

 REQUIREMENTS IN RESPECT OF PRESCRIBED SIGNS

Type of Sign:	Diagram A1 “STOP” sign.
Description of Sign:	Octagonal shape, bearing the word Stop in white letters on a red background.
Requirement of Sign:	<p>(i) Every vehicle shall stop before crossing the transverse line shown in diagram C3, or if that line is not clearly visible, before entering the major road in respect of which the sign shown in diagram A1 has been provided.</p> <p>(ii) No vehicle shall proceed past the transverse line shown in diagram C3 or if that line is not clearly visible, enter the major road in respect of which the sign shown in diagram A1 has been provided, so as to be likely to cause danger to the driver of any other vehicle on the major road or to cause that driver to change the speed or course of his vehicle so as to avoid an accident.</p>
Type of Sign:	Diagram A2. “STOP—CHILDREN” sign.
Description of Sign:	Hand held temporary sign. Circular in shape, bearing the words “STOP—CHILDREN” in black letters on a yellow background with a red border.

Requirement of Sign: Every vehicle shall stop before the sign when such sign is displayed by any authorised person, ie. Police, lollipop person, or traffic warden.

Type of Sign: Diagram A3 “GIVE WAY” sign.

Description of Sign: Triangular in shape with its vertex pointing downwards; has a red border on a white background.

Requirement of Sign: (i) Every vehicle shall give way to traffic on the major road in respect of which the sign has been provided.

(ii) No vehicle shall proceed past the double transverse lines shown in diagram C4 or enter the major road in respect of which the sign shown in diagram A3 has been provided, so as to cause danger to the driver of any other vehicle on the major road or to cause that driver to change the speed or course of his vehicle so as to avoid an accident.

Type of Sign: Diagram A4 “NO ENTRY” sign.

Description of Sign: Circular in shape, bearing a horizontal white band across part of its diameter, on a red background.

Requirement of Sign: No vehicle shall enter the road on which the sign shown in diagram A4 is displayed, from the direction in which the sign is visible.

Type of Sign: Diagram A5 “NO LEFT TURN” sign.

Description of Sign: Circular in shape, bearing a black symbol and a red diagonal line on a white back ground with a red border.

Requirement of Sign: No vehicle shall turn left along the road at the junction on which the sign is displayed.

Type of Sign: Diagram A6 “NO RIGHT TURN” sign.

Description of Sign: Circular in shape, bearing a black symbol and a red diagonal line on a white back ground with a red border.

Requirement of Sign: No vehicle shall turn right along the road at the junction on which the sign is displayed.

Type of Sign: Diagram A7 “MAXIMUM SPEED LIMIT” sign.

Description of Sign: Circular in shape, bearing black numerals, indicating the maximum speed permitted in miles per hour, on a white background with a red border.

Requirement of Sign: No vehicle shall be driven along any road beyond the point at which the sign is displayed at a speed in excess of the limit indicated on such sign, unless a sign has been subsequently displayed cancelling such restriction; an example of which is shown at diagram A8.

Type of Sign: Diagram A8 “END OF SPEED LIMIT” sign.

Description of Sign: Circular in shape, bearing grey numerals and a black diagonal band on a white background.

Requirement of Sign: This sign indicates to all moving vehicles the point at which the displayed speed limit ceases to apply.

Type of Sign: Diagram A9 “MAXIMUM WEIGHT LIMIT” sign.

Description of Sign: Circular in shape, bearing black figures and the letter T to denote tonnes, on a white background with a red border.

Requirement of Sign: No vehicle shall be driven along any road beyond the point at which the sign is displayed with a gross weight in excess of the limit indicated by the sign.

Type of Sign: Diagram B1 “AHEAD ONLY” sign.

Description of Sign: Circular in shape, bearing a white arrow on a blue background.

Requirement of Sign: Every vehicle shall proceed ahead only.

Type of Sign: Diagram B2 “DIRECTION OF TRAVEL” sign.

Description of Sign: Circular in shape, bearing a white arrow on a blue

background.

Requirement of Sign: Every vehicle shall proceed only in the direction indicated by the arrow.

Type of Sign: Diagram B3 “TURN LEFT” sign.

Description of Sign: Circular in shape bearing a white arrow on a blue background.

Requirement of Sign: Every vehicle must turn left at the junction.

Type of Sign: Diagram B4 “TURN RIGHT” sign.

Description of Sign: Circular in shape bearing a white arrow on a blue background.

Requirement of Sign: Every vehicle must turn right at the junction.

Type of Sign: Diagram B5 “PASS THIS SIDE” sign.

Description of Sign: Circular in shape bearing a white arrow pointing in a downward direction towards the left or the right on a blue background.

Requirement of Sign: Every vehicle must pass on the side of the obstacle as indicated by the arrow.

Type of Sign: Diagram B6 “MINI ROUNDABOUT” sign.

Description of Sign: Circular in shape bearing three white arrows shown in a clockwise direction.

Requirement of Sign: (i) Every vehicle shall travel on the roundabout in a clockwise direction.

(ii) Every vehicle shall give way at the transverse broken line shown in diagram C5 to traffic already on the roundabout.

(iii) Every vehicle approaching the roundabout shall give way to traffic approaching immediately from the right.

(iv) No vehicle shall be permitted to stop, stand or park on the roundabout.

Type of Sign:	Diagram B7 “ONE WAY TRAFFIC” sign.
Description of Sign:	Rectangular in shape with its height greater than its width, bearing a white arrow on a blue background.
Requirement of Sign:	All vehicles shall proceed in one direction along the road on which the sign shown is displayed from the direction in which the sign is visible.

Type of Marking:	Diagram C1 “PROHIBITORY LINE”.
Description of Marking:	White continuous longitudinal line painted on the surface of the road.
Requirement of Marking:	No vehicle shall cross or straddle a white continuous longitudinal line painted on the surface of the road except when directed to do so by a policeman or so as to avoid a stationary obstruction.

Type of Marking:	Diagram C2 “LANE MARKING”.
Description of Marking:	White broken longitudinal line painted on the surface of the road.
Requirement of Marking:	Vehicles may cross or straddle a white broken longitudinal line but should do so only when it is safe to do.

Type of Marking:	Diagram C3 “STOP LINE”.
Description of Marking:	White continuous transverse line painted on the surface of the road.
Requirement of Marking:	(i) Every vehicle shall stop before crossing the transverse line shown in diagram C3.

Marking:

(ii) No vehicle shall proceed past the transverse line shown in diagram C3 so as to be likely to cause danger to the driver of any other vehicle on the major road or to cause that driver to change the speed or course of his vehicle so as to avoid an accident.

Type of Marking:

Diagram C4 “GIVE WAY LINE”.

Description of Marking:

Double white transverse line painted on the surface of the road.

Requirement of Marking:

(i) Every vehicle shall give way at the transverse line shown in diagram C4 to traffic on the major road.

(ii) No vehicle shall proceed past the transverse line shown in diagram C4 so as to be likely to cause danger to the driver of any other vehicle on the major road or to cause that driver to change the speed or course of his vehicle so as to avoid an accident.

Type of Marking:

Diagram C5 “MINI ROUNDABOUT ENTRY” line.

Description of Marking:

White broken transverse line painted on the surface of the road.

Requirement of Marking:

Every vehicle shall give priority at the transverse line shown in diagram C5 to traffic from the right before entering the mini roundabout.

Type of Marking:

Diagram C6 “CHEVRON HATCHING”.

Description of Marking:

White parallel oblique stripes framed by a continuous line painted on the road surface.

Requirement of Marking:

No vehicle shall enter the area of road contained by the marking shown in diagram C6.

Type of Marking:

Diagram C7 “NO PARKING” line.

Description of Marking:

Yellow broken longitudinal line painted along the edge of the road.

Requirement of Marking:

No vehicle shall park (except for the purpose of loading or offloading) on that side of the road on

which is painted the marking shown in diagram C7 within the length of the marking between the hours of 7.30 am and 5.30 pm on any day.

Type of Marking:	Diagram C8 “NO PARKING/RESTRICTIVE STANDING” line.
Description of Marking:	Yellow continuous longitudinal line painted along the edge of the road.
Requirement of Marking:	No vehicle shall be parked at any time on the side of the road on which is painted the marking shown in diagram C8 within the length of such marking, and no vehicle may stand on that part of the road to which such marking applies between the hours of 7.30 am and 9.30 am and between the hours of 3.30 pm and 5.30 pm on any day.

Type of Marking:	Diagram C9 “NO PARKING/NO STANDING” line.
Description of Marking:	Yellow continuous double lines painted along the edge of the road.
Requirements of Marking:	No vehicle shall park or stand at any time on that side of the road on which is painted the marking shown in diagram C9 within the length of such marking.

ROAD TRAFFIC ORDINANCE, 1984

MOTOR VEHICLE RULES, 1985

(Section 42(4))

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2. Application
3. Speed limits
4. Weight restriction and entry
5. One way traffic
6. Penalty

Citation

1. These rules may be cited as the Motor Vehicle Rules, 1985.

Application

2. These rules apply to the roads and places specified only if a sign has not been erected to regulate vehicular activity in accordance with section 42 of the Road Traffic Ordinance, 1984.

Speed limits

3. (1) No motor vehicle may be driven on any road at a speed exceeding 40 miles an hour.

(2) No motor vehicle may be driven on any road within 400 yards of the flagstaff at the United States Air Force Base at a speed exceeding 30 miles an hour.

(3) No motor vehicle may be driven on any road in Georgetown at a speed exceeding 20 miles an hour.

(4) No motor vehicle may be driven on any road in Two Boats Settlement at a speed exceeding 20 miles an hour.

(5) No motor vehicle may be driven on the road through Traveller's Hill Camp at a speed exceeding 30 miles an hour.

(6) Nothing in this rule applies to any vehicle on any occasion when it is being used for fire brigade, ambulance, or police purposes, if the observance of these provisions would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

Weight restriction and entry

4. No motor vehicle with an unladen weight in excess of three tonnes may be driven on any road in Two Boats Settlement without the prior approval of the Administrator, except for the purpose of access to or egress from a property within Two Boats Settlement.

One way traffic

5. (1) No vehicle may travel along the roadway in Two Boats Village from the Senior Mess along the Ring to Two Boats Club other than in a clockwise direction.

(2) No vehicle may travel along the roadway between Needles Tank and Georgetown other than in the direction of Georgetown.

Penalty

6. A person who contravenes or fails to comply with any of the provisions of these Rules commits an offence.

Penalty: A fine of £200.

ROAD TRAFFIC ORDINANCE, 1984
ROAD TRAFFIC (SPEED MEASURING DEVICES) RULES, 2010

(Section 42(3A))

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2. Interpretation
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5. Field testing of light beam device
6. Use of light beam device
7. Certificate as to testing of light beam device
8. Repeal of Rules

Citation

1. These Rules may be cited as the Road Traffic (Speed Measuring Devices) Rules, 2010.

Interpretation

2. In these Rules—
“field testing officer” means a police officer who is trained and qualified in the use of a light beam device;
“light beam device” means a speed measuring device prescribed by rule 3;
“testing officer” means the manufacturer of a light beam device, his duly appointed agent or a suitably qualified technician offering appropriate evidence of technical and professional competence in the testing of light beam devices.

Light beam devices

3. The following light beam device is prescribed as a speed measuring device for the purpose of section 42A(1) of the Ordinance:—
 The Unipar SL 700 Laser Speed Meter.

Testing of light beam devices

4. (1) A light beam device must be submitted to a testing officer at least once in every 12 month period for the purpose of inspection and calibration.

(2) The testing officer must, after completing the testing of a light beam device in accordance with this rule, complete a laser calibration certificate.

Field testing of light beam device

5. Before using a light beam device to determine the speed of any particular vehicle a field testing officer must perform the following tests—
 (a) the horizontal and vertical alignment of the light beam device must be tested;
 and
 (b) the accuracy range of the light beam device must be tested.

Use of light beam device

6. (1) The Unipar SL 700 Laser Speed Meter device must be used in accordance with the instructions of the manufacturer, which is the prescribed manner of use of such device for the purpose of section 42A(1) of the Ordinance.

(2) A light beam device must not be used unless it has been tested in accordance with rule 4 within the 12 months preceding the occasion of its use, and a satisfactory calibration certificate issued.

Certificate as to testing of light beam device

7. (1) A certificate referred to in section 42A(2) of the Ordinance is in the prescribed form if it records the issue date, model and serial number of the light beam device, calibration tests, and signature of the testing officer.

(2) In accordance with section 42A(2) of the Ordinance, a testing officer is deemed to be an authorised person for the purpose of these Rules.

Repeal of Rules

8. The Road Traffic (Speed Measuring Devices) Rules, 2008, are repealed.
