

No. 698.

THE MOTOR VEHICLES AND ROAD TRAFFIC LAW, 1954.

REGULATIONS MADE UNDER SECTION 3.

In exercise of the powers vested in him under section 3 of the Motor Vehicles and Road Traffic Law, 1954, His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the following regulations :—

1. These regulations may be cited as the Motor Vehicles (Amendment) Regulations, 1954, and shall be read as one with the Motor Car Regulations, 1951 and 1953 (hereinafter referred to as "the principal Regulations") and the principal Regulations shall be read and have effect subject to the provisions of these Regulations and these Regulations and the principal Regulations may be cited as the Motor Vehicles Regulations, 1951 to 1954. *Gazette :*
Suppl. No. 3
31.10.1951
9. 5.1953.
2. The principal Regulations are hereby amended by the substitution for the words "motor car" wherever they occur of the words "motor vehicle".
3. Regulation 2 of the principal Regulations is hereby amended— Amendment of regulation 2 of the principal Regulations.
 - (a) by the deletion therefrom of the definitions of "motor car", "motor cycle", "motor lorry", "owner", "parking place", "passenger", "private motor car", "public service motor car" and "road";
 - (b) by the insertion therein, in its proper alphabetical place, of the following definition :—
"self-drive motor vehicle" means a public service motor vehicle hired out to the driver by the hirer or his agent ;".
4. Regulation 4 of the principal Regulations is hereby amended by the substitution for the words "a Deputy Registrar" (line 1) of the words "Deputy Registrars". Amendment of regulation 4 of the principal Regulations.
5. Regulation 5 of the principal Regulations is hereby amended by the deletion therefrom of paragraph (g) (the semi-colon at the end of paragraph (f) thereof being replaced by a full stop). Amendment of regulation 5 of the principal Regulations.
6. Paragraph (3) of regulation 8 of the principal Regulations is hereby amended by the substitution for the proviso thereto of the following proviso :—
" Provided that the identification mark shall bear, in addition to any other letters,—
(a) the letter "T" in the case of a public service motor vehicle, registered as such ;
(b) the letter "S" in the case of a motor lorry, registered as such ;
(c) the letter "Z" in the case of a self-drive motor vehicle, registered as such,
before any other letter or figure thereon." Amendment of regulation 8 of the principal Regulations.
7. Regulation 18 of the principal Regulations is hereby amended as follows :— Amendment of regulation 18 of the principal Regulations.
 - (a) by the deletion from paragraph (1) thereof of the words " of the place in which the motor car is usually kept " (lines 1 and 2) ;
 - (b) by the insertion therein, immediately after paragraph (5), of the following paragraphs :—
" (6) No person shall use, or allow or suffer to be used, a motor vehicle except as a motor vehicle of the type or class and for the purpose for which such vehicle is licensed under this regulation.
(7) For the purposes of this regulation, ' type or class of the motor vehicle ' means—
(i) a motor bicycle (with or without side-car) ;
(ii) a motor tricycle ;

- (iii) an autocycle;
- (iv) a private motor lorry ;
- (v) a public service motor lorry ;
- (vi) a motor omnibus ;
- (vii) a private motor vehicle ;
- (viii) a public service motor vehicle of seven seats or less ;
- (ix) a road roller ;
- (x) a tractor ;
- (xi) a self-drive motor vehicle ;
- (xii) any other type of motor vehicle.”.

Amendment of regulation 19 of the principal Regulations.

8. Regulation 19 of the principal Regulations is hereby amended by the substitution for the words “The Registrar may” (at the beginning of line 1) of the following words :—

“The Registrar shall refuse to issue a motor vehicle licence for any motor vehicle in respect of which a certificate of insurance under any Law providing for the compulsory insurance against third party risks in force for the time being is not produced to him, and he may”.

Amendment of regulation 21 of the principal Regulations.

9. Regulation 21 of the principal Regulations is hereby amended as follows :—

- (a) by the addition at the end of the proviso to paragraph (1) thereof of the words “or in respect of any other motor vehicle or motor tractor as the Governor may, by Order, direct” ;
- (b) by the substitution for paragraph (2) thereof of the following paragraph :—

“(2) The holder of a motor vehicle licence shall on surrendering it for cancellation to the licensing officer who issued the licence, be entitled to a refund of one-twelfth part of the fee for a yearly licence or one-sixth part of the fee for a half-yearly licence in respect of each complete calendar month of the period still to run :

Provided that the sum of five shillings shall be deducted from the total amount so computed and shall not be refunded.”.

Amendment of regulation 31 of the principal Regulations.

10. Regulation 31 of the principal Regulations is hereby amended as follows :—

- (a) by the revocation of paragraph (1) thereof and the substitution therefor of the following paragraph :—

“Kinds of driving licences. 31.—(1) A driving licence shall, unless expressed to be valid for all classes of motor vehicles, be valid only for the class or classes of motor vehicles specified therein, but may by endorsement of the licence by the Registrar be extended to any other class of motor vehicles.” ;

- (b) by the deletion of sub-paragraph (c) of paragraph (2) thereof (as contained in regulation 8 of the Motor Car (Amendment) Regulations, 1953) and the substitution therefor of the following sub-paragraph :—

“(c) Private motor vehicle of over 7 seats.”.

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Suppl. No. 3
9.5.1953.

Revocation of regulation 33 of the principal Regulations and substitution of new regulation.

11. Regulation 33 of the principal Regulations (as set out in regulation 10 of the Motor Car (Amendment) Regulations, 1953) is hereby revoked and the following substituted therefor :—

“Public service motor vehicles, etc.

33. No licence to drive a public service motor vehicle other than a self-drive vehicle shall be issued to any person unless such person satisfies the Registrar that he has held a licence to drive a vehicle of classes (b), (c) or (d) of paragraph (2) of regulation 31 for at least two years.”.

12. The principal Regulations are hereby amended by the insertion therein, immediately after regulation 36, of the following regulation :—
- “ Badge for driver of public service motor vehicle. 36A.—(1) On the grant of a licence to drive a public service motor vehicle other than a self-drive vehicle a metal badge upon which there shall be marked the word ‘driver’ and the year of issue, shall be delivered to such person on the payment of a fee of five shillings.
- (2) Such badge shall be worn in a conspicuous manner at all times by such driver when on duty.
- (3) No person other than a driver of a public service motor vehicle (excluding a self-drive motor vehicle) on duty shall wear any such badge.”

Amendment of the principal Regulations by insertion of new regulation 36A.

13. Regulation 38 of the principal Regulations is hereby amended as follows :—

Amendment of regulation 38 of the principal Regulations.

- (a) by the substitution in paragraph (1) thereof for the words “ two shillings and a half ” (lines 1 and 2) of the words “ five shillings ” and by the substitution in the said paragraph for the words and brackets “ (except in the case of a motor cyclist who need not be so accompanied) ” (lines 4 and 5) of the words and brackets “ (except in the case of a motor cyclist who need not be accompanied by a pillion-rider, but if so accompanied, the pillion-rider must be a person licensed to drive a motor bicycle) ” ;
- (b) by the insertion immediately after paragraph (1) thereof of the following paragraph (the ensuing paragraph (2) being renumbered as paragraph (3)) :—

“ (2) No person other than the licensed driver accompanying him for the purpose of instruction under paragraph (1) of this regulation may be carried on any motor vehicle driven by the holder of a learner’s licence :

Provided that a motor vehicle specially adapted as an instructional vehicle and having a second set of controls operated by a licensed driver may carry as passengers bona fide students learning to drive.”

14. Regulation 40 of the principal Regulations (as set out in regulation 12 of the Motor Car (Amendment) Regulations, 1953) is hereby revoked and the following substituted therefor :—

Revocation of regulation 40 of the principal Regulations and substitution of new regulation.

- “ Cancellation, etc., of driving licences. 40.—(1) The Registrar may in his discretion—
- (a) by order under his hand cancel or suspend any driving licence ;
- (b) refuse to renew any driving licence, if the holder thereof shall be convicted of any offence against the Law or these regulations or if the Registrar is satisfied that such licence was obtained by any false representations or that the continuance or renewal of any such licence would constitute a danger to public safety :
- Provided that the Registrar shall inform in writing the holder of any such licence of the substance of what is alleged against him and shall consider any explanations or representations made by him in connection with such proposed cancellation within seven days thereafter.
- (2) On the cancellation of any driving licence under this regulation, the holder shall forthwith surrender such licence and badge to the Registrar and no fee paid in respect of such licence or badge shall be refunded.

(3) Any person aggrieved by an order or decision of the Registrar under paragraph (1) of this regulation, may within fourteen days of the notification to him of such order or decision appeal to the President of the District Court of the district where he resides, whose decision thereon shall be final."

Amendment of regulation 45 of the principal Regulations.

15. Regulation 45 of the principal Regulations is hereby amended as follows :—

(a) by the insertion therein immediately after paragraph (b) thereof of the following paragraph :—

"Height. (ba) save with the licence of the Registrar and subject to such conditions as he may impose no part of the motor vehicle shall project upwards to a height of more than eleven feet from the ground ;"

(b) by the deletion from paragraph (g) thereof of the words "forty-two" (line 3) and the substitution therefor of the word "sixty" ;

(c) by the addition at the end of paragraph (u) thereof of the following sub-paragraph :—

"(iv) be carried in such a way that danger to the driver, passengers or others or damage to property may result ;"

(d) by the insertion in paragraph (t) thereof, immediately after the words "motor cycle" (line 1), of the words "and a trailer not exceeding one ton in weight unladen".

Amendment of regulation 46 of the principal Regulations.

16. Regulation 46 of the principal Regulations is hereby amended by the deletion therefrom of paragraph (f) (paragraphs (g) and (h) thereof being relettered as paragraphs (f) and (g), respectively).

Revocation of regulation 48 of the principal Regulations and substitution of new regulation.

17. Regulation 48 of the principal Regulations is hereby revoked and the following substituted therefor :—

"Special provisions for public service motor vehicles.

48. In addition to the provisions contained in regulations 45, 46 and 47 no public service motor vehicle of seven seats or less shall be registered, licensed or used unless it is properly fitted with a taxi meter of a type approved by the Registrar capable of registering the fare payable in accordance with such tariff as may be prescribed."

Amendment of regulation 53 of the principal Regulations.

18. Paragraph (1) of regulation 53 of the principal Regulations is hereby amended by the insertion therein, immediately after sub-paragraph (u), of the following sub-paragraph (the full stop at the end of sub-paragraph (u) being substituted by a semi-colon) :—

"(v) upon a request of any police officer in uniform specially authorized in this respect by the Registrar stop and allow such officer to examine the motor vehicle and make any necessary test for the purpose of ascertaining whether it complies with the requirements of these regulations, and for this purpose drive such car under the observation of such officer for such distance at such speed and in such manner as such officer may direct."

Revocation of regulation 55 of the principal Regulations.

19. Regulation 55 of the principal Regulations is hereby revoked.

20. Regulations 56, 56A and 56B of the principal Regulations are hereby revoked and the following regulation substituted therefor:—
- “No public service motor vehicle to be used for immoral purposes, etc. 56. No person shall use or knowingly allow or suffer any public service motor vehicle to be used—
- (a) for any indecent or immoral behaviour therein ;
 (b) for the purpose of soliciting or importuning for any immoral purpose ;
 (c) for any other indecent or immoral purpose.”.
- Revocation of regulations 56, 56A and 56B of the principal Regulations and substitution of new regulation.
21. Regulation 57 of the principal Regulations is hereby amended as follows :—
- (a) by the insertion in paragraph (4) thereof, immediately after the word “owner” (line 3), of the words “or the person having the control or charge” ;
 (b) by the deletion of paragraph (6) thereof.
- Amendment of regulation 57 of the principal Regulations.
22. Regulation 60 of the principal Regulations is hereby revoked and the following substituted therefor :—
- “Trailers. 60. Save with the licence of the Registrar and subject to such conditions as he may impose, the following special provisions shall apply to, and shall be observed in respect of, trailers :—
- (a) only one trailer at a time may be towed by any one motor vehicle ;
 (b) the overall length of a motor vehicle and trailer (including draw-bar) shall not exceed forty feet ;
 (c) every trailer exceeding two cwt. in weight unladen shall have an efficient braking system the brakes of which are capable of being applied when it is being drawn—
- (i) to at least two wheels in the case of a trailer having not more than four wheels ;
 (ii) to at least four wheels in the case of a trailer having more than four wheels ;
 (iii) to two wheels in the case of a trailer having two wheels,
 and so constructed that—
- (I) the brakes can be applied by the driver of the towing vehicle or by some other person on such vehicle :
- Provided that this sub-paragraph shall not apply in the case of a trailer not exceeding one ton in weight unladen and not exceeding forty-five cwt. in total weight, if in either case the brakes of the trailer automatically come into operation on the overrun of the trailer ;
- (II) in the case of any trailer the brakes are capable of being set so as effectively to prevent two at least of the wheels from revolving when the trailer, whether it is attached to the towing motor vehicle or not, is not being drawn ;
- (d) the total laden weight of a trailer shall not exceed the total laden weight of the towing motor vehicle ;
 (e) no trailer shall be towed by a lorry or omnibus except an articulated vehicle designed and constructed specially for this purpose or a trailer designed for use in private premises, customs house, warehouses and
- Revocation of regulation 60 of the principal Regulations and substitution of new regulation.

used on a road only in passing from one part of any such premises to another, or to other premises in the immediate neighbourhood.

(f) no person may be carried on or in a trailer.”

Amendment
of the First
Schedule to
the principal
Regulations.

23. The First Schedule to the principal Regulations is hereby amended as follows :—

(a) by the substitution in Form A thereof for paragraph 7 of the following paragraph :—

“ 7. Whether intended for—

- (i) a motor bicycle (with or without side-car) ;
- (ii) a motor tricycle ;
- (iii) an autocycle ;
- (iv) a private motor lorry ;
- (v) a public service motor lorry ;
- (vi) a motor omnibus ;
- (vii) a private motor vehicle ;
- (viii) a public service motor vehicle of seven seats or less ;
- (ix) a road roller ;
- (x) a tractor ;
- (xi) a self-drive motor vehicle ;
- (xii) any other type of motor vehicle ;” ;

(b) by the substitution for the words “ Public or Private and Date ”, appearing in the heading of the seventh column of Form B thereof, of the words “ Type or Class and Date ” ;

(c) by the substitution in Form E thereof for sub-paragraph (c) of paragraph 3 of the following sub-paragraph :—

“(c) Private motor vehicle of over 7 seats.”

Revocation
of the Second
Schedule to
the principal
Regulations.
61 of 1954.

24. The Second Schedule to the principal Regulations is hereby revoked and any reference in the principal Regulations to any part of the said Second Schedule shall be deemed to be a reference to the corresponding part of the Schedule to the Motor Vehicles and Road Traffic Law, 1954.

Date of
coming into
operation
of these
regulations.

25. These regulations shall come into operation on the date of their publication in the *Gazette* except regulations 12 and 17 which shall come into operation on a date to be fixed by the Governor by a notice in the *Gazette*.

Ordered this 15th day of December, 1954.

By Command of His Excellency the Governor,

G. P. CASSELS,

Clerk of the Executive Council.

(M.P. 901/54.)