

ORDINANCE

OF THE STATES OF DELIBERATION

ENTITLED

The Lighting of Vehicles and Skips Ordinance, 1988 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

© States of Guernsey

* Recueil d'Ordonnances Tome XXIV, p. 356; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Traffic Offences (Fixed Penalties) Ordinance, 1989 (Recueil d'Ordonnances Tome XXV, p. 11); the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992 (Recueil d'Ordonnances Tome XXVI, p. 90); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019 (No. ** of 2019). See also the Road Traffic (Drink Driving) (Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 512); the Offences (Fixed Penalties) (Guernsey) Law, 2009 (No. XV of 2010).

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Lighting of Vehicles and Skips Ordinance, 1988

ARRANGEMENT OF SECTIONS

PART I PRELIMINARY

1. Purposes of Ordinance.

PART II PERMITTED LAMPS AND THEIR USE

2. General restrictions relating to lamps.
3. Restriction on numbers of certain lamps.
4. Restriction on use of certain lamps.
5. Lamps showing light of different colours.
6. Prevention of dazzle.
7. Moving and flashing lamps.
8. Exceptions to certain restrictions.
9. Permitted headlamps.
10. Permitted position lamps.
11. Permitted fog lamps.
12. Permitted stop lamps.
13. Permitted reversing lamps.
14. Permitted number plate lamps.
- 14A. Daytime running lamps.
- 14B. Permitted marker lamps.
- 14C. Permitted side lamps.

PART III OBLIGATORY LAMPS AND REFLECTORS

15. Obligatory lighting of 2-wheeled vehicles and narrow 3-wheeled vehicles.
- 15A. Obligatory lighting of side-cars.
16. Obligatory lighting of vehicles with 4 or more wheels, and of wide 3-wheeled

- vehicles.
- 17. Exceptions to sections 15 and 16.
- 18. Obligatory side-marker lamps and reflectors on long vehicles.
- 18A. Obligatory marker lamps on wide vehicles.
- 19. Obligatory stop lamps.
- 20. Positions of obligatory lamps and reflectors.
- 21. Trailers and other combinations of vehicles.
- 21A. Direction-indicators.

PART IV
MISCELLANEOUS AND SUPPLEMENTARY

- 22. Multi-purpose lamps.
- 23. Asymmetric vehicles.
- 23A. General requirements for electrical connections.
- 24. Lighting of loads.
- 25. Lighting of skips.
- 26. Exemption by order or permit of Committee.
- 27. Offences and penalty.
- 28. ...
- 29. Criminal liability of directors etc.
- 30. Interpretation and construction.
- 31. Repeals.
- 32. Citation.
- 33. Commencement.

(Made on 27th July, 1988.)

The Lighting of Vehicles and Skips Ordinance, 1988

THE STATES, in pursuance of their Resolution of the 25th day of May 1988, hereby order: –

PART I PRELIMINARY

Purposes of Ordinance.

1. (1) The provisions of this Ordinance relating to vehicles shall have effect for the purpose –

- (a) of restricting the carrying or illumination on a vehicle of any light which might –
 - (i) unnecessarily dazzle a road user,
 - (ii) confuse a road user as to the position, size, nature, speed or direction of travel of a vehicle,
 - (iii) cause danger to any road user,
- (b) of ensuring that every vehicle on a public highway carries adequate lamps, illuminated when conditions so require, and adequate reflectors –
 - (i) to afford to the person in charge of the vehicle sufficient illumination of the road to enable the vehicle to be used safely in the circumstances in

which it is being used,

- (ii) to afford to other road users sufficient illumination of the vehicle to enable them to ascertain its position, approximate size, nature, speed and direction of travel,
- (iii) to warn other road users that a brake of the vehicle has been applied.

(2) Part II of this Ordinance restricts the lamps which may be carried on vehicles on public highways ("**permitted lamps**") and imposes requirements as to the positioning and use of all permitted lamps.

(3) Part III of this Ordinance specifies lamps and reflectors which must be carried on vehicles on public highways ("**obligatory lamps**" and "**obligatory reflectors**") and imposes additional requirements as to the positioning of obligatory lamps and obligatory reflectors.

NOTE

In accordance with the provisions of the Road Traffic (Drink Driving) (Guernsey) Law, 1989, section 2A(7), Schedule, with effect from 11th February, 2004, offences under this Ordinance constitute "traffic offences" for the purposes of the 1989 Law.

PART II

PERMITTED LAMPS AND THEIR USE

General restrictions relating to lamps.

2. A vehicle on a public highway shall not –

Consolidated text

- (a) show any light from a lamp which does not conform to the requirements of this Part of this Ordinance,

- (b) show to the front any light from a lamp other than –
 - (i) a direction indicator conforming to section 7,
 - (ii) a headlamp conforming to section 9,
 - (iii) a front position lamp conforming to section 10,
 - (iv) a front fog lamp conforming to section 11,
 - [(v) a daytime running lamp conforming to section 14A,]

- (c) when the vehicle is not in motion, show to the front light from a lamp other than –
 - (i) a direction indicator conforming to section 7,
 - (ii) a front position lamp conforming to section 10,

- (d) show to the rear any light from a lamp other than –
 - (i) a direction indicator conforming to section 7,
 - (ii) a rear position lamp conforming to section 10,
 - (iii) a rear fog lamp conforming to section 11,

- (iv) a stop lamp conforming to section 12,
- (v) a reversing lamp conforming to section 13,
- (vi) a number plate lamp conforming to section 14.

NOTE

In section 2, sub-paragraph (v) of subsection (2) was inserted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, section 2, with effect from 29th March, 2019.

Restriction on numbers of certain lamps.

3. (1) A vehicle on a public highway shall not carry –
- (a) more than two headlamps emitting a dipped beam,
 - (b) more than two reversing lamps.
- (2) A vehicle to which section 15 applies shall not carry on a public highway –
- (a) more than two headlamps emitting a main beam,
 - (b) more than two front position lamps.

Restriction on use of certain lamps.

4. (1) A fog lamp shall not be illuminated except in poor visibility conditions.
- (2) A reversing lamp shall not be illuminated except for the purpose of reversing a vehicle.

(3) A lamp other than a stop lamp shall not be capable of being illuminated by the application of a brake.

Lamps showing light of different colours.

5. A vehicle on a public highway shall not carry lamps having the same function and facing in the same direction but showing lights of differing colours.

Prevention of dazzle.

6. A lamp carried on a vehicle on a public highway shall not –

- (a) emit light from a front fog lamp or from the main beam of a headlamp in such circumstances as to cause danger or undue inconvenience through dazzling another road user,
- (b) show light, other than light from a front fog lamp or from the main beam of a headlamp, which is capable of dazzling another person on the same horizontal plane as the vehicle at a distance greater than 7.7 metres from the lamp and whose eye level is not less than 1.10 metres above that plane.

Moving and flashing lamps.

7. (1) No light on a vehicle other than light from a dipping headlamp or a direction indicator operated by mechanical means shall be moved while the vehicle is in motion; but this subsection shall not be construed as prohibiting the carrying of reflectors on, or in the pedals of, a bicycle or tricycle.

(2) No flashing or intermittent light shall be shown by any vehicle unless –

Consolidated text

- (a) it flashes at a frequency of between 60 and 120 flashes per minute and shows when illuminated either –
 - (i) an amber light, or
 - (ii) if it shows only to the front, a white light, or
 - (iii) if it shows only to the rear, a red light,
- (b) it is used to indicate that the driver of the vehicle intends to change direction, or as a hazard warning in accordance with subsection (3).

(3) The direction indicators of a vehicle on a public highway may be used as a hazard warning by the simultaneous illumination of the indicators only if –

- (a) the indicators are operated by means of an appropriate device, and
- (b) the vehicle is stationary, and
- (c) the indicators are operated for the purpose of warning other road users of a temporary obstruction on a public highway.

(4) A device other than an appropriate device shall not be fitted to a vehicle for the purpose of operating direction indicators by the simultaneous illumination of the indicators.

- (5) In this section the expression "**appropriate device**" means a device which –
- (a) is fitted to a vehicle so as to operate simultaneously –
 - (i) one or more direction indicators on both sides of the vehicle, or
 - (ii) the indicator or indicators as provided in subparagraph (i) and one or more direction indicators on both sides of any trailer being drawn by the vehicle, and
 - (b) includes a warning light capable of indicating to the person in charge of the vehicle when the device is being operated, and
 - (c) is actuated by a switch controlling only that device.

Exceptions to certain restrictions.

- 8.** (1) Nothing in section 2 applies so as to prevent or restrict the use of a lamp –
- (a) for the interior illumination of a vehicle,
 - (b) for the illumination of a device conveying information on a public vehicle,
 - (c) which is required to be carried on a long vehicle (by virtue of section 18) or to indicate an overhanging or projecting load (by virtue of section 24).

(2) Nothing in section 2, 4(1), 5, 6(b) or 7 applies so as to prevent or restrict the use of a lamp –

- (a) for police, fire brigade or ambulance purposes,
- (b) to illuminate the scene of, or to warn persons about, an accident or breakdown,
- (c) in accordance with an Order made under section 26(1) or an exemption granted under section 26(3).

Permitted headlamps.

9. (1) Every headlamp shall be so positioned that the highest part of the illuminating surface is no more than 2.10 metres above the ground and the lowest part of the illuminating surface is no less than 500 millimetres above the ground.

(2) Every headlamp shall emit to the front of the vehicle a white or yellow beam of light –

- (a) which is capable of adequately illuminating the road in clear weather at night over a distance of at least 40 metres ahead of the vehicle, and
- (b) which either –
 - (i) is always a dipped beam, or
 - (ii) can be deflected at the will of the person in charge of the vehicle so as to become a dipped beam, or

- (iii) can be extinguished by the operation of a device which, at the same time, causes the lamp or another lamp to emit a dipped beam.

Permitted position lamps.

10. Every position lamp shall –
- (a) be illuminated at all times when a headlamp or a fog lamp of the same vehicle is illuminated,
 - (b) if it is a front position lamp, show to the front a white or yellow light visible in clear weather at night from a distance of at least 300 metres,
 - (c) if it is a rear position lamp, show to the rear a red light visible in clear weather at night from a distance of at least 300 metres.

Permitted fog lamps.

11. Every fog lamp shall –
- (a) be positioned so that –
 - (i) the highest part of the illuminating surface is no more than 1.50 metres above the ground and no higher than the highest point on the illuminating surface of any headlamp carried on the same vehicle, and
 - (ii) the lowest part of the illuminating surface, is no

less than 250 millimetres above the ground,

- (b) if it is a front fog lamp, emit a white or yellow beam of light to the front,
- (c) if it is a rear fog lamp, show a red light to the rear.

Permitted stop lamps.

12. Every stop lamp shall –

- (a) be so designed that when the speed of the vehicle is reduced by reason of the application of a brake, other than a brake used for parking, it shows a red light clearly visible to the driver of a following vehicle,
- (b) be fitted either –
 - (i) on or to the offside of the vertical plane passing through the longitudinal axis of the vehicle, or
 - (ii) as one of a matched pair,
- (c) show, when illuminated, a steady red light the luminous intensity of which is markedly higher than that of the light shown by any rear position lamp carried on the same vehicle.

Permitted reversing lamps.

13. Every reversing lamp shall –

- [(a) show to the rear, when illuminated –

- (i) for vehicles manufactured before the designated date, a white, yellow or amber light,
 - (ii) for vehicles manufactured on or after the designated date, a white or yellow light,]
- (b) be so constructed that it cannot be illuminated except –
- (i) automatically, by selection of a reverse gear of the vehicle, or
 - (ii) by the operation of a switch which simultaneously activates a device readily visible to the driver and designed to indicate when the reversing light is illuminated, but which serves no other purpose.

NOTE

In section 13, paragraph (a) was substituted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, section 3, with effect from 29th March, 2019.

Permitted number plate lamps.

- 14.** Every number plate lamp carried on a vehicle shall –
- (a) be positioned as close as practicable to the registration number exhibited at the rear of the vehicle,
 - (b) emit a white or yellow light such that, when that registration number is illuminated thereby, it is legible

in clear weather at night when the vehicle is stationary from a distance of at least 20 metres.

Daytime running lamps.

14A. Every daytime running lamp shall –

- (a) be positioned so that –
 - (i) the highest part of the illuminating surface is not higher than the headlamp,
 - (ii) the lowest part of the illuminating surface is no less than 250 millimetres above the ground,
 - (iii) if it is one of a matched pair of daytime running lamps, be positioned so that the distance between the extreme outer edge of the vehicle on the side where the lamp is positioned and the outer edge of the illuminating surface of the lamp does not exceed 400 millimetres,
- (b) emit a white light to the front,
- (c) be so constructed that it is not illuminated when a front fog lamp or headlamp is in use.]

NOTE

Section 14A was inserted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, section 4, with effect from 29th March, 2019.

[Permitted marker lamps.]

14B. (1) Subject to subsection (2), every power-driven vehicle and every trailer of an overall width of 1.80 metres or more may carry marker lamps for the purpose of drawing attention to the width of the vehicle or trailer.

(2) If marker lamps are carried on a vehicle to which subsection (1) applies they must comply with the requirements in section 18A(2).]

NOTE

Section 14B was inserted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, section 4, with effect from 29th March, 2019.

[Permitted side lamps.]

14C. (1) Every power-driven vehicle and every trailer may carry side lamps which when illuminated show an amber light.

(2) For the purposes of subsection (1), a "**side lamp**" means a lamp installed on the side of a vehicle so as to indicate the presence of the vehicle when viewed from the side.]

NOTE

Section 14C was inserted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, section 4, with effect from 29th March, 2019.

PART III

OBLIGATORY LAMPS AND REFLECTORS

Obligatory lighting of 2-wheeled vehicles and narrow 3-wheeled vehicles.

15. (1) This section applies to –

Consolidated text

- (a) any two-wheeled vehicle, and
- (b) a three-wheeled vehicle the overall width of which does not exceed 1.30 metres.

(2) When a vehicle to which this section applies is on a public highway at night or in poor visibility conditions it shall carry, in a clean and efficient condition, –

- (a) a properly lighted rear position lamp conforming to section 10 and showing a red light to the rear, and
- (b) a properly lighted front position lamp conforming to section 10 and showing a white or yellow light to the front, and
- (c) an unobscured red reflector of other than triangular shape, facing to the rear and visible in clear weather at night from a distance of at least 150 metres when illuminated by a main beam from a headlamp of another vehicle.

(3) In addition to the lamps and reflectors required by subsection (2), when a power-driven vehicle to which this section applies is on a public highway at night or in poor visibility conditions it shall carry, in a clean and efficient condition

–

- (a) a properly lighted number-plate lamp conforming to section 14, and

- (b) if it is in motion, a properly lighted headlamp conforming to section 9 and showing a white or yellow light to the front.

[Obligatory lighting of side-cars.]

15A. (1) This section applies to a side-car attached to a two-wheeled vehicle.

(2) When a side-car to which this section applies is on a public highway at night or in poor visibility conditions it shall carry, in a clean and efficient condition –

- (a) a properly lighted rear position lamp conforming to section 10 and showing a red light to the rear, and
- (b) a properly lighted front position lamp conforming to section 10 and showing a white or yellow light to the front, and
- (c) an unobscured red reflector of other than triangular shape, facing to the rear and visible in clear weather at night from a distance of at least 150 metres when illuminated by a main beam from a headlamp of another vehicle.]

NOTE

Section 15A was inserted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, section 5, with effect from 29th March, 2019.

Obligatory lighting of vehicles with 4 or more wheels, and of wide 3-wheeled vehicles.

16. (1) This section applies to –
- (a) any vehicle having four or more wheels, and
 - (b) a three-wheeled vehicle the overall width of which exceeds 1.30 metres.
- (2) When a vehicle to which this section applies is on a public highway at night or in poor visibility conditions it shall carry, in a clean and efficient condition, –
- (a) a matched pair of rear position lamps conforming to section 10, properly lighted, and each showing a red light to the rear, and
 - (b) a matched pair of front position lamps conforming to section 10, properly lighted, and each showing to the front a white light or each showing to the front a yellow light, and
 - (c) a matched pair of unobscured red reflectors of other than triangular shape, facing to the rear and visible in clear weather at night from a distance of at least 150 metres when illuminated by a main beam from a headlamp of another vehicle.
- (3) In addition to the lamps and reflectors required by subsection (2), when a power-driven vehicle to which this section applies is on a public highway at night or in poor visibility conditions it shall carry, in a clean and efficient

condition, –

- (a) a properly lighted number-plate lamp conforming to section 14, and
- (b) if it is in motion, a matched pair of headlamps conforming to section 9, properly lighted, and each showing to the front a white light, or each showing to the front a yellow light.

Exceptions to sections 15 and 16.

17. Nothing in section 15 or section 16 requires any lamp to be carried on

–

- (a) any vehicle which is stationary in a parking place,
- (b) a vehicle the total dimensions of which, taken together with any load, do not exceed 1800 millimetres in length or 750 millimetres in width or 1350 millimetres in height, and which is being drawn or propelled by a person on foot as near as possible to the edge of the carriageway.

Obligatory side-marker lamps [and reflectors] on long vehicles.

18. (1) When a vehicle of an overall length of 11 metres or more is on a public highway at night or in poor visibility conditions it shall carry, on both the nearside and the offside of the vehicle, properly lighted and in a clean and efficient condition, –

- (a) one lamp no part of the illuminating surface of which is more than 4 metres from the foremost part of the

vehicle, and

- (b) one lamp no part of the illuminating surface of which is more than 3.05 metres from the rearmost part of the vehicle, and
- (c) such other lamps as are required to ensure that not more than 3.05 metres separates any part of the illuminating surface of one from the illuminating surface of the next.

(2) All of the lamps carried by a vehicle in accordance with this section shall –

- (a) be positioned as nearly as practicable at the same height above the ground, and
- (b) show a white light to the front and a red light to the rear, each visible, at an angle of 70 degrees to a line perpendicular to the longitudinal axis of the vehicle, in clear weather at night from a distance of at least 150 metres.

[(3) Every power-driven vehicle, and every trailer, which –

- (a) was manufactured on or after the designated date, and
- (b) is of an overall length of six metres or more,

must carry, on both the nearside and the offside of the vehicle or trailer, an unobscured amber reflector visible in clear weather at night from a distance of at least 150 metres when illuminated by a main beam from a headlamp of a vehicle.]

NOTE

In section 18, first, the words in square brackets in the heading and, second, subsection (3) were inserted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, section 6, respectively paragraph (a) and paragraph (b), with effect from 29th March, 2019.

[Obligatory marker lamps on wide vehicles.]

18A. (1) Every power-driven vehicle, and every trailer, of an overall width of 2.1 metres or more must carry marker lamps in accordance with subsection (2) for the purpose of drawing attention to the width of the vehicle or trailer.

(2) Where marker lamps are required under subsection (1), or permitted under section 14B –

- (a) they should show when illuminated a white or amber light to the front, and a red light to the rear,
- (b) there should be at least two such lamps,
- (c) they should be positioned near the outer edge of the overall width, and as near as possible to the top of the vehicle or trailer.]

NOTE

Section 18A was inserted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, section 7, with effect from 29th March, 2019.

Obligatory stop lamps.

19. Every power-driven vehicle on a public highway shall carry, facing

towards the rear and in a clean and efficient condition, –

- (a) if it is a vehicle to which section 15 applies, a stop lamp conforming to section 12,
- (b) if it is a vehicle to which section 16 applies, a matched pair of stop lamps conforming to section 12.

Positions of obligatory lamps and reflectors.

20. (1) Every obligatory lamp and every obligatory reflector shall be positioned –

- (a) if it is a single lamp or a single reflector, on, or to the offside of, the vertical plane passing through the longitudinal axis of the vehicle,
- (b) if it is one of a matched pair of headlamps, position lamps or reflectors, so that the distance between the extreme outer edge of the vehicle on the side where the lamp or reflector is positioned and the outer edge of the illuminating surface of the lamp or reflector does not exceed 400 millimetres.

(2) Every obligatory rear lamp and every obligatory reflector shall be so positioned –

- (a) that no part of the illuminating surface of the lamp or reflector is more than 1.10 metres from the ground,
- (b) that no part of the illuminating surface of the lamp or reflector lies forward of the extreme rear of the vehicle

by more than –

- (i) 500 millimetres in the case of a vehicle to which section 15 applies,
- (ii) one metre in the case of a vehicle to which section 16 applies.

Trailers and other combinations of vehicles.

21. (1) This Ordinance applies to trailers and other combinations of vehicles subject to the modifications specified in this section.

(2) Subject to subsections (3) and (5), when a trailer is being towed on a public highway at night or in poor visibility conditions it shall carry (in place of the lights and reflectors specified in sections 15 and 16), in a clean and efficient condition, –

- (a) a matched pair of properly lighted rear position lamps conforming to section 10 and each showing a red light to the rear,
- [(b) if its overall width exceeds 1.60 metres, a matched pair of properly lighted front position lamps, conforming to section 10 and –
 - (i) for vehicles manufactured before the designated date, each showing to the front a white light or each showing to the front a yellow light,
 - (ii) for vehicles manufactured on or after the designated date, each showing to the front a

white light,]

- (c) if it is being towed by a power-driven vehicle –
 - (i) a properly lighted number plate lamp conforming to section 14, and
 - (ii) a matched pair of stop lamps conforming to section 12,
- (d) a matched pair of unobscured red reflectors each having the shape of an equilateral triangle with one vertex uppermost and one side horizontal and with sides between 150 millimetres and 200 millimetres in length, facing to the rear and visible in clear weather at night from a distance of at least 150 metres when illuminated by a main beam from a headlamp of another vehicle,
- [(e) a matched pair of unobscured white reflectors, facing to the front and visible in clear weather at night from a distance of at least 150 metres when illuminated by a main beam from a headlamp of another vehicle, each –
 - (i) for vehicles manufactured before the designated date, having the shape of an equilateral triangle with one vertex uppermost and one side horizontal and with sides between 150 millimetres and 200 millimetres,
 - (ii) for vehicles manufactured on or after the designated date, in other than triangular form.]

(3) In the case of a trailer having an overall width not exceeding 800 millimetres and being towed by a two-wheeled vehicle, subsection (2) shall be deemed to be complied with if the trailer carries one of each of the lights and reflectors of which, apart from the provisions of this subsection, it would be required to carry a matched pair.

(4) Any lamps and reflectors required to be carried on a trailer in accordance with subsection (2) or subsection (3) shall be positioned as required by section 20, save that any front position lamp carried in accordance with paragraph (b) of subsection (2) shall be so positioned that the distance between the extreme outer edge of the trailer on the side where the lamp is positioned and the outer edge of the illuminating surface of the lamp does not exceed 150 millimetres.

(5) When two or more vehicles are on a public highway in combination (whether or not one of them is a trailer) and the distance between them, disregarding any drawbar and fitting for its attachment, does not exceed 1.50 metres –

- (a) nothing in this Ordinance shall be construed as requiring a headlamp, front position lamp or white reflector to be carried on any of those vehicles except the front vehicle and a vehicle with an overall width exceeding that of the front vehicle,
- (b) nothing in this Ordinance shall be construed as requiring a rear position lamp, stop lamp or red reflector to be carried on any of those vehicles except the rearmost vehicle and a vehicle with an overall width exceeding that of the rearmost vehicle.

NOTE

In section 21, first, paragraph (b) and, second, paragraph (e) of subsection (2) were substituted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, section 8, respectively paragraph (a) and paragraph (b), with effect from 29th March, 2019.

Direction-indicators.

21A. (1) Every power-driven vehicle and trailer on a public highway to which this section applies must carry an even number of fixed direction-indicators which –

- (a) flash at a frequency of between 60 and 120 flashes per minute,
- (b) show when illuminated an amber light, visible by day and by night, and
- (c) are intended to be used to indicate to road-users affected by the vehicle's movements that the driver intends to change direction.

(2) This section applies to power-driven vehicles and trailers manufactured on or after the designated date.]

NOTE

Section 21A was inserted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, section 9, with effect from 29th March, 2019.

PART IV
MISCELLANEOUS AND SUPPLEMENTARY

Multi-purpose lamps.

22. Nothing in this Ordinance shall be construed as requiring a vehicle to carry separate obligatory lamps or reflectors for separate purposes; and a permitted lamp or reflector is not prevented from conforming to any provision of this Ordinance solely by reason of the fact that it is grouped with, or incorporated in, another permitted lamp or reflector.

Asymmetric vehicles.

23. Any requirement of this Ordinance that lamps or reflectors forming a pair are to be –

- (a) at the same height above the ground, or
- (b) symmetrically placed with reference to a vertical plane passing through the longitudinal axis of a vehicle

shall, in the case of an asymmetric vehicle, be complied with so far as is reasonably possible having regard to the shape of the vehicle.

[General requirements for electrical connections.]

23A. (1) Every power-driven vehicle first used on or after 1st April 1991, including such a vehicle in combination, shall be so constructed that –

- (a) subject to subsection (2), the head lamps (whether emitting a main beam or a dipped beam), the front fog lamps, the front position lamps and the rear number plate lamp cannot be illuminated unless the rearmost rear position lamps of the vehicle or combination of vehicles are illuminated,
- (b) the rear fog lamps cannot be illuminated unless the

head lamps (whether emitting a main beam or a dipped beam) or the front fog lamps are illuminated,

- (c) at all times when the head lamps (whether emitting a main beam or a dipped beam) or the fog lamps are illuminated, the front position lamps are also illuminated.

(2) Subsection (1)(a) does not prohibit the construction of a vehicle such that the head lamps may be used for the purpose of giving a luminous warning in such circumstances as may be permitted by any enactment.

(3) The construction of a two wheeled vehicle attached to a side-car shall be such that the front position lamp and rear position lamp of the side-car cannot be illuminated unless the rear position lamp of the two-wheeled vehicle is also illuminated.]

NOTE

Section 23A was inserted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, section 10, with effect from 29th March, 2019.

Lighting of loads.

24. If a vehicle on a public highway at night or in poor visibility conditions carries a load which overhangs or projects from the vehicle –

- (a) laterally, by more than 400 millimetres beyond the outermost part of any obligatory lamp other than a number plate lamp, or
- (b) rearwards, by more than 500 millimetres in the case of

a vehicle to which section 15 applies, or one metre in the case of a vehicle to which section 16 applies, from the foremost part of any obligatory rear position lamp or obligatory stop lamp,

it shall carry, properly illuminated and in a clean and efficient condition, an additional lamp or lamps, showing a white or yellow light to the front and a red light to the rear, and so positioned as to indicate clearly the overhang or projection.

NOTE

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 24 of this Ordinance may be discharged by payment of a fixed penalty.

Lighting of skips.

25. (1) Without prejudice to any other enactment or rule of law, the owner of a skip shall not deposit it, or permit it to remain, on a public highway at night unless it carries, in a clean and efficient condition, as close as practicable to each of its upper corners, –

- (a) a properly lighted lamp showing an amber light visible in clear weather at night from a distance of at least 150 metres, and
- (b) an unobscured amber reflector visible in clear weather at night from a distance of at least 150 metres when illuminated by a main beam from a headlamp of a vehicle.

(2) Section 6(b) applies in relation to a skip as it applies in relation

to a vehicle.

(3) In this section –

"owner", in relation to a skip which is the subject of an agreement for its hiring for a period of one month or more, means the person in possession of the skip under that agreement,

"skip" means a container designed to be carried on a vehicle and to be placed on land for the storage of builders' materials, or for the removal and disposal of builders' rubble, waste, household and other rubbish or earth.

NOTE

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 25 of this Ordinance may be discharged by payment of a fixed penalty.

Exemption by order or permit of Committee.

26. (1) The Committee may, by an order made under this subsection, exempt from any or all of the requirements of this Ordinance, either generally or for such period or occasion as may be specified, and subject to such conditions as may be specified, in the order, any type or class of vehicle or skip specified therein: and an order made under this subsection may be revoked by a subsequent order so made.

(2) An order made under subsection (1) shall be laid before a meeting of the States as soon as possible; and if, at that meeting or their next meeting, the States resolve that the order be annulled it shall cease to have effect, but without prejudice to anything done under it or to the making of a new order.

(3) The Committee may, by a permit in writing issued under this

subsection, exempt any particular vehicle, for such occasion or period, and subject to such conditions, as may be specified in the permit, from any or all of the requirements of this Ordinance; and the Committee may at any time revoke an exemption granted under this subsection.

NOTE

The following Order has been made under section 26:

Lighting of Vehicles and Skips (Exemptions) Order, 2019.

Offences and penalty.

27. (1) A person who, at night or in poor visibility conditions, uses a vehicle on a public highway, or permits a vehicle to be used on a public highway –

- (a) when a lamp is carried or illuminated on that vehicle, or when a light is shown from a lamp on that vehicle, in contravention of any provision of Part II of this Ordinance, or
- (b) when that vehicle is not carrying every lamp and reflector which it is required to carry under, and in accordance with, Part III of this Ordinance,

is guilty of an offence.

(2) A person who uses a vehicle carrying a load on a public highway at night, or who permits a vehicle carrying a load to be used on a public highway at night, when that vehicle is not carrying the additional lamp or lamps required by section 24, is guilty of an offence.

(3) The owner of a skip who contravenes section 25 is, subject to

subsection (4), guilty of an offence.

(4) In any proceedings for an offence under subsection (3) it is a defence for the person charged to prove –

- (a) that the commission of the offence was due to the act or default of another person, and
- (b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

(5) Subject to section 28, a person guilty of an offence under this section shall be liable, on conviction, to a fine not exceeding [level 3 on the uniform scale].

NOTES

In section 27, the words and figure in square brackets in subsection (5) were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 27(1) or section 27(2) of this Ordinance may be discharged by payment of a fixed penalty.¹

Fixed penalty.

28. ...

NOTES

Section 28 was repealed by the Traffic Offences (Fixed Penalties) Ordinance,

1989, section 9(1), Schedule 3, with effect from 1st May, 1989, subject to the savings in section 9(2) of the 1989 Ordinance.

Criminal liability of directors etc.

29. (1) If an offence under this Ordinance committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of that body, or any person who was purporting to act in any such capacity, he, as well as that body, is guilty of that offence and liable to be proceeded against and punished accordingly.

(2) For the purposes of this section a person shall be deemed to be a director of a body corporate if he is a person in accordance with whose directions or instructions the directors of the body corporate, or any of them, act.

Interpretation and construction.

30. (1) In this Ordinance, unless the context otherwise requires –

"the Committee" means the [States [Committee for the Environment & Infrastructure] or such other Committee as the States may by resolution prescribe],

[**"daytime running lamp"** means a lamp facing in a forward direction used to make the vehicle more easily visible when driving during daytime,]

[**"designated date"** means the date of commencement of the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019,]

"dipped beam" means a beam of light emitted by a headlamp on a vehicle, being a beam which is deflected downwards or both downwards and to the left to such an extent that it is incapable of dazzling a person on the

same horizontal plane as the vehicle at a distance greater than 7.7 metres from the lamp and whose eye level is not less than 1.10 metres above that plane,

"fog lamp" means a front fog lamp and a rear fog lamp,

"front fog lamp" means a lamp fitted to the front of a vehicle and designed to be used to improve the illumination of the road in poor visibility conditions,

"headlamp" means a lamp (other than a fog lamp) designed to illuminate when lit, the road in front of a vehicle by means of a dipped beam or by means of a dipped beam and a main beam,

"illuminating surface", in relation to a lamp, means the visible surface of the lamp through which light is emitted when the lamp is lit, and, in relation to a reflector means the visible surface of the reflector from which light is reflected,

"main beam" means a beam of light which is emitted by a headlamp and which is not a dipped beam,

"nearside" means the left of a vehicle when viewed from its rear,

"night" means the time between half an hour after sunset and half an hour before sunrise,

"number plate lamp" means a lamp designed to illuminate the registration number exhibited at the rear of a vehicle,

"obligatory lamp", in relation to a vehicle, means a lamp required under Part III of this Ordinance to be carried on that vehicle when it is on a

public highway at night or in poor visibility conditions,

"obligatory reflector", in relation to a vehicle, means a reflector required under Part III of this Ordinance to be carried on that vehicle when it is on a public highway at night or in poor visibility conditions,

"offside" means the right of a vehicle when viewed from its rear,

[**"overall length"** means the length of a motor vehicle, including its load, measured between vertical planes at right angles to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof,]

[**"overall width"** means the width of a motor vehicle, including its load, measured between vertical planes parallel to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof exclusive of

—

- (a) any driving mirror (including any supporting bracket or fixing),
- (b) any direction indicator,
- (c) so much of the distribution of any tyre as is caused by the weight of the vehicle,
- (d) any front corner marker lamp or side marker lamp,]

"parking place" means a disc parking place or an approved parking place within the meaning of the Road Traffic (Parking Places) Ordinance,

1963^b,

"permitted lamp" means a lamp conforming to the requirements of Part II of this Ordinance,

"poor visibility conditions" means such conditions adversely affecting visibility (whether consisting of, or including, fog, smoke, heavy rain or spray, snow, dense cloud or any similar condition) as seriously reduce the ability of the person in charge of a vehicle (after the appropriate use of any windscreen wiper or washer) to see other vehicles or people on the road, or the ability of other road users to see the vehicle,

"position lamp" means a lamp used to indicate the presence and width of a vehicle,

"power-driven vehicle" means a vehicle designed to be propelled by power generated or stored in or on the vehicle, and does not include a pedal cycle,

"public highway" includes any road, street, lane and other place open to the public for use by vehicular traffic,

"public vehicle" means a vehicle used or intended for the carriage of fare-paying passengers,

"rear fog lamp" means a lamp fitted to the rear of a vehicle and designed to render the vehicle, when the lamp is illuminated, more readily visible from the rear in poor visibility conditions,

^b Recueil d'Ordonnances Tome XIII, p. 292; Tome XXI, p. 525; Ordinance No. XII of 1981.

"reflector" means a device used to indicate the presence of a vehicle by reflection of light emanating from a light source unconnected with that vehicle,

"reversing lamp" means a lamp designed to be used when a vehicle is reversing, or is about to reverse in order to provide illumination behind the vehicle and a warning that the vehicle is reversing, or is about to reverse,

"stop lamp" means a lamp designed to indicate to other road users that a brake of a vehicle is being applied,

"trailer" means a vehicle designed to be drawn by another vehicle,

"vehicle" means any vehicle designed or adapted for use on roads, and in relation to a vehicle in combination includes every vehicle in the combination.

(2) For the purposes of this Ordinance –

(a) a vehicle is **"in combination"** if it is drawing, or being drawn by, another vehicle,

(b) a vehicle shall be deemed to be **"in motion"** notwithstanding that it is temporarily stationary –

(i) in order to comply with a legal requirement, or

(ii) in order to avoid a collision, or

(iii) if it is a public vehicle, when stopping to pick

up or set down passengers,

- (c) two lamps carried on a vehicle form a matched pair of lamps if –
 - (i) they are identical in size and shape, and
 - (ii) they show, when illuminated, light of the same colour and of substantially the same intensity, and
 - (iii) both lamps are at the same height above the ground, and
 - (iv) they are positioned on each side of the vertical plane passing through the longitudinal axis of the vehicle so that the distances between the centre of each of the lamps and that longitudinal axis do not vary by more than 25 millimetres,
- [(d) any combination of two or more lamps, other than a matched pair, whether identical or not, but having the same function and the same colour of light, shall be deemed to be a single lamp,
- (e) a single illuminating surface in the shape of a band, the illumination of which is provided by at least two light sources placed as close as possible to its ends, shall be deemed to be two or an even number of lamps if it is placed symmetrically to the median longitudinal plane of the vehicle.]

- (3) In this Ordinance, unless the context otherwise requires –
- (a) a reference to an enactment is a reference to that enactment as amended, repealed and replaced, extended or applied by or under any other enactment,
 - (b) a reference to a numbered provision is a reference to the provision so numbered in this Ordinance, and a reference in a section to a numbered subsection is a reference to the subsection so numbered in that section.

NOTES

In section 30,

the words in square brackets in the definition of the expression "the Committee" in subsection (1) were substituted by the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 24, with effect from 30th September, 1992;

the words "Committee for the Environment & Infrastructure" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 4(a), with effect from 1st May, 2016;²

first, the definitions of the expressions "daytime running lamp" and "designated date" and, second, "overall length" were inserted, third, the definition of the expression "overall width" was substituted and, fourth, paragraph (d) and paragraph (e) of subsection (2) were inserted by the Lighting of Vehicles and Skips (Amendment) Ordinance, 2019, respectively section 11(a), section 11(b), section 11(c) and section 12, with effect from 29th March, 2019.

The functions, rights and liabilities of the Environment Department and of its Minister or Deputy Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for the Environment & Infrastructure and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 4(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.³

Repeals.

31. The Vehicular Traffic (Lighting) Ordinance, 1963^c, the Vehicular Traffic (Lighting) (Amendment) Ordinance, 1971^d and the Vehicular Traffic (Lighting) (Amendment) Ordinance, 1976^e are repealed.

Citation.

32. This Ordinance may be cited as the Lighting of Vehicles and Skips Ordinance, 1988.

Commencement.

33. This Ordinance shall come into force on 1st August, 1988.

¹ Previously, in accordance with the provisions of the Traffic Offences (Fixed Penalties) Ordinance, 1989, section 1, section 2 and Schedule 1, with effect from 1st May, 1989, any liability to conviction of offences against section 27(1) and section 27(2) may have been discharged by payment of a fixed penalty.

² These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 29, with effect from 6th May, 2004.

³ The functions, rights and liabilities of the Environment Department and its Minister arising under or by virtue of this Ordinance were previously transferred to and vested in them, respectively, from the Traffic Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 29, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance; the functions of the Traffic Committee under this Ordinance were previously transferred to it from the Island Traffic Committee by the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 1, Schedule 1, paragraph 25, with effect from 29th July, 1992, subject to the savings in section 2 of the 1992 Ordinance.

^c Recueil d'Ordonnances Tome XIII, p. 306.

^d Recueil d'Ordonnances Tome XVII, p. 42.

^e Recueil d'Ordonnances Tome XX, p. 362.