

ORDINANCE
OF THE STATES OF DELIBERATION

ENTITLED

**The Motor Vehicles and Pedal Bicycles (Warning
Apparatus) Ordinance, 1966 ***

[CONSOLIDATED TEXT]

NOTE

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* Recueil d'Ordonnances Tome XIV, p. 319; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Road Traffic and Highways Offences (Increase of Fines) Ordinance, 1986 (Recueil d'Ordonnances Tome XXIII, p. 422). 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).

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ARRANGEMENT OF SECTIONS

1. Use of motor vehicles and pedal bicycles.
2. Fitting of horns, etc.
3. Offences.
4. Penalties.
5. Interpretation.
6. Repeals.
7. Citation.

(Made on the 27th July, 1966.)

The Motor Vehicles and Pedal Bicycles (Warning Apparatus) Ordinance, 1966

THE STATES, on the representations of the Island Police Committee, hereby order: –

Use of motor vehicles and pedal bicycles.

1. A person shall not ride or drive or attempt to ride or drive any motor vehicle or pedal bicycle on any public highway unless the motor vehicle or pedal bicycle complies with the provisions of the next succeeding section.

NOTES

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.

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 1 of this Ordinance may be discharged by payment of a fixed penalty.¹

Fitting of horns, etc.

2. (1) Subject to the succeeding provisions of this section, there shall be fitted to every motor vehicle and every pedal bicycle an instrument or apparatus capable of giving audible and sufficient warning of its approach or position (hereinafter referred to as "**a warning apparatus**").

(2) Subsection (1) of this section shall not apply to a pedestrian controlled vehicle.

(3) A motor vehicle, other than a motor vehicle used for fire brigade, ambulance or police purposes, shall not be fitted with a gong, bell, siren or two-tone horn.

(4) The reference in subsection (3) of this section to a gong, bell or siren shall include a reference to any instrument or apparatus capable of emitting a sound similar to that emitted by a gong, bell or siren.

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 2 of this Ordinance may be discharged by payment of a fixed penalty.

Offences.

3. (1) A person shall not –
- (a) in the case of a motor vehicle which is stationary on any public highway at any time, or
 - (b) in the case of a motor vehicle which is in motion on any public highway between eleven o'clock in the evening of any day and seven o'clock in the forenoon of the day next following,

sound or cause to be sounded any warning apparatus fitted to or otherwise carried on the vehicle.

(2) A person shall not sound or cause to be sounded unnecessarily or without consideration for other persons in the vicinity any warning apparatus fitted

to or otherwise carried on a motor vehicle.

(3) Nothing in subsection (1) or subsection (2) of this section shall be taken to apply to the sounding of a warning apparatus fitted to or otherwise carried on that vehicle –

- (a) when that motor vehicle is being used for fire brigade, ambulance or police purposes, or
- (b) for the purposes of preventing damage to that motor vehicle or any other property or injury to any person or animal.

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 3 of this Ordinance may be discharged by payment of a fixed penalty.²

Penalties.

4. Any person who contravenes the provisions of section one or of section three of this Ordinance shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 2 on the uniform scale].

NOTES

In section 4, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.³

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 4 of this Ordinance may be discharged by payment of a fixed penalty.

Interpretation.

5. In this Ordinance, the following expressions have the meanings hereby respectively assigned to them, that is to say –

"motor vehicle" means a mechanically propelled vehicle intended or adapted for use on the public highway and includes a mechanically propelled invalid carriage and an auto-cycle and any pedal bicycle or pedal tricycle which is being used as or is adapted for use as a mechanically propelled vehicle,

"multi-tone horn" means an instrument or apparatus which, when operated, automatically produces a succession of sounds each of which is one of three or more fixed notes,

"pedal bicycle" includes a pedal tricycle,

"pedestrian controlled vehicle" means a motor vehicle which is controlled by a pedestrian and not constructed or adapted for use for the carriage of a driver or passenger,

"two-tone horn" means an instrument or apparatus which, when operated, automatically produces a sound which alternates between two fixed notes, and includes a multi-tone horn.

Repeals.

6. Article VI of the Ordinance entitled "Ordonnance relative au Trafic Véhiculaire en cette Île" of the second day of March, nineteen hundred and twenty-nine^a, the Ordinance entitled "Ordonnance relative au Trafic Véhiculaire" of the twenty-sixth day of November, nineteen hundred and thirty-eight^b and the Ordinance entitled "Ordonnance relative au Trafic Véhiculaire (Sonnettes de Bicyclettes, etcetera), 1940" of the seventh day of August, nineteen hundred and forty^c, are hereby repealed.

NOTE

The Ordinance relative au Trafic Véhiculaire en cette Île of the second day of March, nineteen hundred and twenty-nine has since been repealed by the Road Traffic (Guernsey) Ordinance, 2019, section 16, with effect from 29th March, 2019.

Citation.

7. This Ordinance may be cited as the Motor Vehicles and Pedal Bicycles (Warning Apparatus) Ordinance, 1966.

NOTE

The Ordinance was made and came into operation on 27th July, 1966.

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 1 may have been

a Recueil d'Ordonnances Tome VIII, p. 184.

b Recueil d'Ordonnances Tome VIII, p. 202.

c Recueil d'Ordonnances Tome VIII, p. 204.

discharged by payment of a fixed penalty.

² 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 3(1)(a) may have been discharged by payment of a fixed penalty.

³ These words and figure were previously substituted by the Road Traffic and Highways Offences (Increase of Fines) Ordinance, 1986, section 1, Schedule, with effect from 1st April, 1986.