

Island of  Guernsey

Ordinance of the States

XIII

1970

Made 25th March, 1970.
Came into Operation 25th March, 1970.

**The Road Traffic (Construction and Use
of Motor Vehicles) Ordinance, 1970**

THE STATES, in pursuance of their Resolutions of the twenty-sixth day of March, nineteen hundred and sixty-nine, and the twenty-eighth day of January, nineteen hundred and seventy, hereby order:—

1. Subject to the provisions of the next succeeding section, a person shall not, without the permission in writing of the Committee, use or cause or permit any other person to use on a public highway a motor vehicle of which the overall width is in excess of seven feet and four inches. Maximum width of motor vehicles.

2. The provisions of section one of this Ordinance shall not apply in the case of a motor vehicle of which the overall width is not in excess of eight feet when it is used:— Exceptions.

- (a) on a public highway between the hours of one o'clock and six o'clock in the morning;
or

- (b) on the public highways between No. 6 Berth, the White Rock, Saint Peter Port, via Saint Julian's Pier, the Weighbridge, Gategny Esplanade, Saint George's Esplanade, Longstore, Les Banques, Les Bas Courtils Road, Bulwer Avenue, South Quay, the Bridge, North Quay and the New North Pier, Harbour of Saint Sampson.

Maximum load of motor vehicles.

3. Subject to the provisions of the next succeeding section, a person shall not, without the permission in writing of the Committee, use or cause or permit any other person to use on a public highway a motor vehicle if the maximum load carried by such vehicle is in excess of eight tons per axle or if the maximum weight of the vehicle and the load is in excess of ten tons.

Exceptions.

4. (1) The provisions of section three of this Ordinance shall not apply in the case of a motor vehicle, other than an articulated motor vehicle:—

- (a) when it is used on the public highways specified in paragraph (b) of section two of this Ordinance; and
- (b) the maximum load carried by such vehicle is not in excess of eight tons per axle or the maximum weight of the vehicle and the load is not in excess of twenty tons.

(2) The provisions of section three of this Ordinance shall not apply in the case of an articulated motor vehicle when it is used on the public highways specified in paragraph (b) of section two of this Ordinance and the maximum load carried thereon is not—

- (a) in the case of a vehicle with three axles, in excess of—

- (i) twenty tons where the distance between the foremost and rearmost axles is less than eighteen feet,
 - (ii) twenty-four tons where the distance between the foremost and rearmost axles is not less than eighteen feet;
- (b) in the case of a vehicle with four axles, in excess of—
- (i) twenty-four tons where the distance between the foremost and rearmost axles is less than twenty-three feet,
 - (ii) twenty-six tons where the distance between the foremost and rearmost axles is less than twenty-six feet but not less than twenty-three feet,
 - (iii) twenty-eight tons where the distance between the foremost and rearmost axles is less than thirty-two feet but not less than twenty-six feet,
 - (iv) thirty tons where the distance between the foremost and rearmost axles is less than thirty-eight feet but not less than thirty-two feet,
 - (v) thirty-two tons where the distance between the foremost and rearmost axles is not less than thirty-eight feet;
- (c) in the case of a vehicle with more than four axles, in excess of—
- (i) twenty-four tons where the distance between the foremost and rearmost axles is less than twenty-three feet,
 - (ii) twenty-six tons where the distance between the foremost and rearmost axles is less than twenty-six feet but not less than twenty-three feet,

- (iii) twenty-eight tons where the distance between the foremost and rearmost axles is less than twenty-nine feet and six inches but not less than twenty-six feet,
- (iv) thirty tons where the distance between the foremost and rearmost axles is less than thirty-two feet but not less than twenty-nine feet and six inches,
- (v) thirty-two tons where the distance between the foremost and rearmost axles is not less than thirty-two feet.

Grant of permission by Committee.

5. (1) Any person desirous of obtaining permission under the provisions of section one or section three of this Ordinance shall make application in that behalf to the Committee and furnish such information as the Committee may, from time to time, require.

(2) Upon receipt of an application under the provisions of this Ordinance the Committee may:—

- (a) grant the permission applied for;
- (b) refuse to grant such permission; or
- (c) grant such permission subject to such conditions as the Committee may think it necessary or expedient to impose.

(3) The Committee may at any time revoke, or vary any condition attached to, any permission granted in pursuance of the provisions of this Ordinance.

Maintenance of vehicles and conditions of loading.

6. A motor vehicle and all parts and accessories of such vehicle shall at all times be in such condition and the weight distribution, packing and adjustment of the load of such vehicle shall at all times be such that no danger is or is likely to be

caused to any person on the vehicle or on the public highway.

7. An officer of police and any person for the time being appointed by the Committee as an examiner of vehicles on production of his authority if required, may require the person in charge of any motor vehicle to allow such motor vehicle to be weighed either laden or unladen, and the weight transmitted to the road by any parts of the vehicle in contact with the road to be tested, and for that purpose to proceed to a weighbridge or other machine for weighing vehicles:

Inspection of
motor
vehicles.

Provided that an officer of police or any person appointed as aforesaid shall not require the person in charge of the motor vehicle to unload such vehicle or to cause it to be unloaded, for the purpose of being weighed unladen.

8. Any person who—

- (a) contravenes the provisions of section one, section three or section six of this Ordinance; or
- (b) fails to comply with any condition attached to a permission granted under section five of this Ordinance; or
- (c) wilfully obstructs any person in the exercise of his powers under the provisions of section seven of this Ordinance; or
- (d) for the purpose of obtaining permission in pursuance of the provisions of section one or section three of this Ordinance or in furnishing any information which he is required to furnish, makes any statement which he knows to be false in a material particular or recklessly makes any statement which is false in a material particular

Offences and
penalties.

or furnishes or allows to be furnished any document or information which he knows to be false in a material particular;

shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds.

Interpreta-
tion.

9. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them—

“articulated motor vehicle” means a motor vehicle with a trailer so attached to the drawing vehicle that part of the trailer is superimposed upon the drawing vehicle, and when the trailer is uniformly loaded not less than twenty per cent of the weight of its load is borne by the drawing vehicle;

“the Committee” means the Island Police Committee;

“motor vehicle” means a mechanically propelled vehicle intended or adapted for use on a public highway and includes a trailer drawn thereby;

“officer of police” means a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;

“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,

(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;

“public highway” includes any road, street, lane or public place.

10. The Ordinances set out in the left hand column of the Schedule to this Ordinance are hereby repealed to the extent set out in the right hand column of that Schedule. Repeals.

11. This Ordinance may be cited as the Road Traffic (Construction and Use of Motor Vehicles) Ordinance, 1970. Citation.

SCHEDULE

Section ten

Ordinances repealed	Extent of Repeal
The Ordinance entitled “Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile” of the twenty-first day of January, nineteen hundred and twenty-nine(a)	Regulation A.
The Ordinance entitled “Ordonnance ayant rapport au Trafic Véhiculaire en cette Ile” of the eighth day of September, nineteen hundred and forty-five(b)	The whole Ordinance.
The Road Traffic (Speed Limits and General Provisions) Ordinance, 1955(c)	Sections nine, ten and eleven.

R. H. VIDELO,
Her Majesty's Greffier.

(a) Recueil d'Ordonnances, Tome VIII, p. 160.

(b) Recueil d'Ordonnances, Tome VIII, p. 180.

(c) Recueil d'Ordonnances, Tome XI, p. 169.