

Island of  Guernsey

Ordinance of the States **VI**

**1986**

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Made ... .. 29th January, 1986.  
Came into Operation ... 29th January, 1986.

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**The Vehicle Noise etc. Ordinance, 1986**

THE STATES, in pursuance of their Resolution of the 25th day of September, 1985, and on the representations of the Island Police Committee, hereby order:—

1. (1) Subject to section 3 of this Ordinance, a person shall not use a motor vehicle on any public highway in such manner as to cause excessive noise which could be avoided by the exercise of reasonable care on his part.

(2) Subject to section 3 of this Ordinance, a person shall not—

- (a) use a motor vehicle on a public highway; or
- (b) cause or permit a motor vehicle to be used on a public highway,

in such circumstances as to cause excessive noise.

2. (1) A person who contravenes section 1 of this Ordinance shall be guilty of an offence and liable, on conviction, to a fine not exceeding £100.

Excessive  
Noise.

Offence,  
penalty and  
defences.

(2) In proceedings against any person in respect of a contravention of section 1(2) of this Ordinance it shall be a defence for him to prove—

- (a) that the noise was caused by some temporary or accidental circumstance and could not have been prevented or terminated by the exercise of reasonable care on his part; or
- (b) in the case of proceedings in respect of a contravention of section 1(2)(a) against a person other than the owner of the vehicle concerned, that the noise was caused by a defect in the design or construction of the vehicle or by the negligence or fault of some other person and could not have been prevented or terminated by the exercise of reasonable care by the person against whom the proceedings are taken.

Exceptions.

3. This Ordinance does not apply to the use of a motor vehicle by a person taking part in a race or trial of speed held in accordance with—

- (a) section 8 of the Road Traffic (Speed Limits and General Provisions) Ordinance, 1955(a) as amended by section 5(2) of this Ordinance; or
- (b) a licence granted by the Royal Court under the Control of Motor Vehicle Racing Ordinances, 1948 and 1970(b).

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(a) Recueil d'Ordonnances Tome XI, p. 169; Tome XIII, p. 134; Tome XVI, pp. 339 and 499; Tome XIX, pp. 53 and 342; No. I of 1978; No. II of 1979; No. X of 1984.  
 (b) Recueil d'Ordonnances Tome IX, p. 203; Tome XV, p. 342; Tome XVI, p. 395.

## 4. In this Ordinance—

Interpreta-  
tion.

“motor vehicle” means any mechanically propelled vehicle and includes a trailer drawn thereby;

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

5. (1) In section (1) of Article VIII of the Ordinance entitled “Ordonnance relative au Trafic Véhiculaire en cette Ile” of 2nd March, 1929, as amended(c), the words and commas, “or any motor vehicle which causes any excessive noise either directly or indirectly whether the same results from faulty construction, faulty adjustment or otherwise” are repealed.

Amend-  
ments to  
Ordinances  
of 1929 and  
1955.

(2) In section 8 of the Road Traffic (Speed Limits and General Provisions) Ordinance, 1955—

(a) in subsection (1), the words “which is a hill-climbing contest” are repealed;

(b) in subsection (2) and subsection (3), for the words “hill-climbing contest”, in each place where those words appear, there is substituted “race or trial of speed”;

(c) immediately after subsection (3) there is inserted the following additional subsection:

“(4) Nothing in this section applies to a motor vehicle race held, otherwise than on a public road, in accordance with a licence granted by the Royal

Court under the Control of Motor Vehicle Racing Ordinances, 1948 and 1970.”

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(c) Recueil d'Ordonnances Tome VIII, pp. 184, 194 and 202; Tome XIV p. 319; No. VI of 1984.

Citation. 6. This Ordinance may be cited as the Vehicle Noise etc. Ordinance, 1986.

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Her Majesty's Greffier.

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