

ORDINANCE

OF THE STATES OF DELIBERATION

ENTITLED

Ordonnance relative au Trafic Véhiculaire en cette Île *

* Recueil d'Ordonnances Tome VIII, p. 184; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Vehicle Registration and Licensing (Transfer of Functions) (Guernsey) Law, 1991 (No. VI of 1991, Ordres en Conseil Vol. XXXIII, p. 127); the Ordonnance portant amendement à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929 (Recueil d'Ordonnances Tome VIII, p. 193); the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929 (Recueil d'Ordonnances Tome VIII, p. 194); the Ordonnance ayant rapport au Trafic Véhiculaire en cette Île (Recueil d'Ordonnances Tome VIII, p. 200); the Ordonnance relative au Trafic Véhiculaire (Recueil d'Ordonnances Tome VIII, p. 202); the Ordonnance ayant rapport au Trafic Véhiculaire en cette Île, 1945 (Recueil d'Ordonnances Tome VIII, p. 204); the Ordonnance par rapport à la Taxation de Vélocipèdes (Recueil d'Ordonnances Tome VIII, p. 234); the Provisional Ordinance Amending Provisional Ordinance (No. XXXII of 1939) relating to Vehicular Traffic, 1946 (No. XLVII of 1946); the Road Traffic (Appeals) (Provisional) Ordinance, 1947 (No. VII of 1947); the Ordinance, 1948, amending the Ordinance entitled "Ordonnance relative au Trafic Véhiculaire en cette Île", of the 2nd March, 1929 (Recueil d'Ordonnances Tome VIII, p. 205); the Vehicular Traffic Driving Test Fee Ordinance, 1949 (Recueil d'Ordonnances Tome X, p. 4); the Traffic Regulations (Public Notice) (Repeal) Ordinance, 1949 (Recueil d'Ordonnances Tome X, p. 9); the Passenger Transport Ordinance, 1949 (Recueil d'Ordonnances Tome X, p. 48); the Vehicular Traffic Ordinance, 1951 (Recueil d'Ordonnances Tome X, p. 176); the Vehicular Traffic Ordinance, 1952 (Recueil d'Ordonnances Tome X, p. 285); the Road Traffic (Speed Limits and General Provisions) Ordinance, 1955 (Recueil d'Ordonnances Tome XI, p. 169); the Vehicular Traffic (Driving Test Fee) Ordinance, 1957 (Recueil d'Ordonnances Tome XI, p. 337); the Vehicular Traffic (Traffic Signs) Ordinance, 1961 (Recueil d'Ordonnances Tome XIII, p. 17); the Vehicular Traffic (Driving Licences) (Amendment) Ordinance, 1962 (Recueil d'Ordonnances Tome XIII, p. 250); the Vehicular Traffic (Lighting) Ordinance, 1963 (Recueil d'Ordonnances Tome XIII, p. 306); the Road Traffic (Parking Places) Ordinance, 1963 (Recueil d'Ordonnances Tome XIII, p. 292); the Public Transport Licensing Ordinance, 1966 (Recueil d'Ordonnances Tome XIV, p. 280); the Motor Vehicles and Pedal Bicycles (Warning Apparatus) Ordinance, 1966 (Recueil d'Ordonnances Tome XIV, p. 319); the Vehicular Traffic (Driving Test Fee) (Amendment) Ordinance, 1967 (Recueil d'Ordonnances Tome XV, p. 6); the Vehicular Traffic (Driving Test Fee) (Amendment) Ordinance, 1969 (Recueil d'Ordonnances Tome XVI, p. 4); the Vehicular Traffic (Reporting of Accidents) (Amendment) Ordinance, 1969 (Recueil d'Ordonnances Tome XVI, p. 187); the States Supervisor and Treasurer of the States (Transfer of Functions) Ordinance, 1972 (Recueil d'Ordonnances Tome XVIII, p. 19); the Road Traffic (Permits to Drive Public Service Vehicles) Ordinance, 1976 (Recueil d'Ordonnances Tome XX, p. 243); the Vehicular Traffic (Driving Test Fee) (Amendment) Ordinance, 1977 (Recueil d'Ordonnances Tome XXI, p. 48); the Vehicular Traffic and Other Offences (Increase in Fines) Ordinance, 1979 (Recueil d'Ordonnances Tome XXI, p. 190); the Vehicular Traffic (Amendment) Ordinance, 1981 (Recueil d'Ordonnances Tome XXII, p. 125); the Vehicular Traffic (Driving Test Fee) (Amendment) Ordinance, 1981 (Recueil d'Ordonnances Tome XXII, p. 131); the Public Transport Licensing Ordinance, 1983 (Recueil d'Ordonnances Tome XXII, p. 490); the Vehicular Traffic (Amendment) Ordinance, 1984 (Recueil

[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.

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d'Ordonnances Tome XXIII, p. 26); the Vehicular Traffic (Driving Test Fee) (Amendment) Ordinance, 1984 (Recueil d'Ordonnances Tome XXIII, p. 65); the Road Traffic (Permits to Drive Public Service Vehicles) Ordinance, 1986 (Recueil d'Ordonnances Tome XXIII, p. 393); the Vehicle Noise etc. Ordinance, 1986 (Recueil d'Ordonnances Tome XXIII, p. 404); the Road Traffic (Increase in Fines) Ordinance, 1988 (Recueil d'Ordonnances Tome XXIV, p. 354); the Driving Tests (Amendment and Transfer of Functions) Ordinance, 1990 (Recueil d'Ordonnances Tome XXV, p. 135); the Road Traffic Temporary Regulations and Clearways (Amendment) Ordinance, 1990 (Recueil d'Ordonnances Tome XXV, p. 140); the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992 (Recueil d'Ordonnances Tome XXVI, p. 90); the Driving Tests (Increase of Fees) Ordinance, 1992 (Recueil d'Ordonnances Tome XXVI, p. 106); the Vehicular Traffic (Amendment) Ordinance, 1992 (Recueil d'Ordonnances Tome XXVI, p. 115); the Driving Licences (Guernsey) Ordinance, 1995 (Recueil d'Ordonnances Tome XXVI, p. 374); the Miscellaneous Offences (Increase in Fines) Ordinance, 1996 (No. XXXIII of 1996, Recueil d'Ordonnances Tome XXVII, p. 148); the Public Highways (Temporary Closure) Ordinance, 1999 (No. I of 1999, Recueil d'Ordonnances Tome XXVIII, p. 185); the Vehicular Traffic (Speed Limits) (Amendment) Ordinance, 2002 (No XVI of 2002, Recueil d'Ordonnances Tome XXIX, p. 167); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Vehicular Traffic (Amendment) Ordinance, 2006 (No. XXX of 2006, Recueil d'Ordonnances Tome XXXI, p. 544); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); the Road Traffic (Miscellaneous Amendments) Ordinance, 2018 (No. ** of 2018). See also the Reform (Guernsey) Law, 1948 (Ordres en Conseil Vol. XIII, p. 288); the Road Traffic (Drink Driving) (Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 512); the Police Property and Forfeiture (Bailiwick of Guernsey) Law, 2006 (No. XXII of 2007); the Offences (Fixed Penalties) (Guernsey) Law, 2009 (No. XV of 2010); the Ordonnance relative au Trafic Véhiculaire (Sonnettes de Bicyclettes, etcetera), 1940 (Recueil d'Ordonnances Tome VIII, p. 204). This Ordinance has been repealed by the Road Traffic (Guernsey) Ordinance, 2019 (No. ** of 2019).

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

Ordonnance relative au Trafic Véhiculaire en cette Île

ARRANGEMENT OF ARTICLES

- I. Definitions.
- II. Use of public highway.
- III. ...
- IV. Vehicles, horses and other animals on the public highway.
- V. Dangerous driving, etc. Driving without due care and attention.
- VI. ...
- VII. ...

Special regulations relating to Motor Vehicles

- VIII. Article VIII.
- IX. Article IX.
- X. Article X – Miscellaneous powers of the Committee.

...

- XI. Article XI.
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- XIII. Article XIII.

Fines

- XIV. Article XIV.

SCHEDULE 1...

RECOGNISED SIGNALS Signals to Drivers of other Vehicles.

(Made on 2nd March, 1929.)

Ordonnance relative au Trafic Véhiculaire en cette Île

LA COUR, en codifiant les Ordonnances à ce sujet passées le 18 juin 1921, le 9 décembre 1922, le 20 avril 1925 et le 8 décembre 1928, et sensible que la majorité de personnes que se sert d'automobiles comprend mieux l'anglais que le français, a rappelé les dites Ordonnances et y a substitué l'Ordonnance suivante rédigée en anglais.

Definitions.

I. The word "**vehicle**" in this Ordinance unless the contrary intention appears, includes waggons, carts, lorries, tractors and all carriages the motive power of which is animal or steam, oil, electricity or other mechanical force, bicycles, velocipedes, motor bicycles and motor tricycles and all hand drawn vehicles.

The masculine includes the feminine.

The expression "**motor vehicles**" means a vehicle propelled wholly or partially either by steam, oil, electricity or other mechanical power, excepting tram-cars, cranes, steam rollers and motor fire engines.

The expression "**permit to drive**" means the permit issued by the [Committee] or other competent authority in pursuance of Article 8 of the law relating to "Automobiles" 1926.

The expression "**public highway**" includes roads, streets, lanes or public places within the Island.

[The expression "the Committee" shall mean the States [Committee for the Environment & Infrastructure] or such other Committee as the States may

by Resolution prescribe.]

[The expression "**Parking Place**" means such part of the public highway or of the land adjacent thereto as the Committee shall have authorised to be occupied, by vehicles left unattended by their respective drivers.]

[...]

[The expression "**major road**" means that one of any two roads which at or near the place of intersection or junction thereof ordinarily bears the greater volume of traffic, or which notwithstanding the volume of traffic thereon is designated as a major road by the Committee.]

[The expression "**animal**" means any horse, bovine animal, ass, mule, sheep, pig, or goat, and in section (2) of Article XII of this Ordinance that expression besides having such meaning shall also mean any dog.]

NOTES

In Article I,

the word in square brackets in the definition of the expression "permit to drive" was substituted by the by the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 2(a), with effect from 30th September, 1992;

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

the words in square brackets within the second pair of square brackets 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

the definitions of the expressions "Parking Place", "major road" and

"animal" were inserted by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934;

the words omitted in the square brackets immediately preceding the definition of the expression "major road" (which words were originally inserted by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934) were repealed by the Vehicular Traffic (Traffic Signs) Ordinance, 1961, section 7, Schedule, with effect from 15th March, 1961.

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

The following case has referred to this Ordinance:

Hutchinson v. Law Officers of the Crown [2004] GLR 4.

In accordance with the provisions of the Reform (Guernsey) Law, 1948, Article 70(3), with effect from 1st January, 1950, this formerly Provisional Ordinance of the Royal Court became a Permanent Ordinance of the States.

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.

The Loi relative aux Automobiles, 1926 has since been repealed by the Motor Taxation (Abolition) (Guernsey) Ordinance, 2006, section 3(1), Schedule, Part I, with effect from 1st January, 2008, subject to the provisions of section 28 of the Motor Taxation and Licensing (Guernsey) Law, 1987.

Use of public highway.

II. No person shall –

(1) Wilfully drive [ride] or lead a horse, other animal [or a vehicle] on any footpath reserved for pedestrians, with the exception of a perambulator being used for the conveyance of one or more children or except when necessary for

passing another vehicle.

(2) Tether or allow to be tethered a horse or other animal on a public highway.

(3) Wilfully or negligently damage any wall, railing or palisade, door, post or bar bordering a public highway, or any tree, shrub or plant or any moveable, or immovable property of others.

(4) [Save in accordance with a licence granted under the provisions of the Public Highways (Temporary Closure) Ordinance, 1999, leave] in any public highway anything that may obstruct or otherwise impede the free passage of the public, except during such time as may be necessary for loading or unloading.

(5) Play any game in any public highway in such manner as to cause annoyance to other users of such public highway.

[(6) Wilfully and unlawfully or by negligence or misbehaviour prevent, hinder or interrupt the free passage of any person, vehicle or animal on any public highway.]

NOTES

In Article II,

the words in the first and second pairs of square brackets in section (1) were, respectively, inserted and substituted by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934;

the words in square brackets in section (4) were substituted by the Public Highways (Temporary Closure) Ordinance, 1999, section 17, with effect from 1st March, 1999;

section (6) (which was originally inserted by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire

en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934) was substituted by the Vehicular Traffic Ordinance, 1951, section 1, with effect from 17th December, 1951.

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

Waggons, carts and animal drawn vehicles.

III. ...

NOTE

Article III was repealed by the Vehicular Traffic Ordinance, 1952, section 2, with effect from 21st April, 1952.

Vehicles, horses and other animals on the public highway.

IV. (1) Every person in charge of a vehicle or of horses or other animals on a public highway shall, when meeting another vehicle or other horses or animals, keep to the left hand side of such public highway: provided that a person when leading a horse or other animal on a public highway if he be leading such horse or other animal on his right hand side and a person when driving a vehicle on a public highway when meeting a horse or other animal which is being so led, shall keep to the right hand side of the public highway so that the person leading the horse or other animal shall be between such horse or other animal and the vehicle.

(2) Every person in charge of a vehicle or of horses or other animals on a public highway and being overtaken by another vehicle or by horses or other animals shall keep to the left hand side of such public highway.

(3) The driver of a vehicle on any public highway shall not wilfully prevent or impede another person or vehicle, horse or other animal under the

charge of such person from passing him, nor obstruct or impede the free passage of the public highway.

(4) A person in charge of a vehicle drawn by a horse or other animal on a public highway shall not be at such distance from the vehicle or in such a position that he cannot immediately have the direction and control of such horse or animal.

[(5) (a) The driver of a vehicle shall not leave-such vehicle on a public highway so as to obstruct such highway except during such time as may be reasonably necessary for loading or unloading the vehicle, or except in a parking place. The driver of a vehicle so left shall remove it when ordered so to do by a member of the Police Force or when requested so to do in any emergency or by any person whose passage is being obstructed.

(b) The driver of a vehicle shall not place or leave such vehicle in any parking place or in any public highway in a position or manner likely to cause danger, or in such a manner as to obstruct the entry to or egress from any premises or properly adjoining such parking place or highway.]

(6) The driver of a vehicle shall not drive his vehicle from one side of the road to the other or turn such vehicle in a road without first giving the recognised signal contained in the schedule hereto or ascertaining that such action is not likely to cause an accident through obstruction to oncoming traffic.

(7) No person under the age of fourteen years shall drive a one-horse vehicle and no person under the age of sixteen years shall drive a two-horse vehicle. No person under the age of [twenty] years shall drive any vehicle licensed for the carrying of passengers.

(8) The driver of a loaded two-wheeled cart shall not ride in it

when it is in motion provided that such restriction shall not apply to carts lightly loaded.

(9) The driver of a vehicle drawn by one or more-horses shall not ride on a shaft of such vehicle whilst it is in motion.

(10) The driver of a vehicle drawn by more than one-horse shall not ride in such vehicle unless he is provided with sufficient reins for each horse.

[(11) The driver of a vehicle shall obey all orders given or communicated to him by a member of the Police Force engaged in regulating and directing traffic on a public highway [...].]

[(12) The driver of a vehicle entering or about to enter any public highway from a public highway of lesser importance or from a private road, way or place shall give way to traffic proceeding along the highway entered or about to be entered.

(13) The driver of a vehicle shall stop whenever ordered by word or sign so to do by a uniformed member of the Police Force.]

NOTES

In Article IV,

section (5) and section (11) were substituted, section (12) and section (13) were inserted, and the word in square brackets in subsection (7) was substituted by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934;

the words omitted in square brackets in section (11) were repealed by the Vehicular Traffic (Traffic Signs) Ordinance, 1961, section 7, Schedule, with effect from 15th March, 1961.

[Dangerous driving, etc. Driving without due care and attention.]

V. (1) If any person drives a vehicle or horse or other animal on a public highway recklessly, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition, and use of that highway, and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on that highway, he shall be guilty of an offence and shall be liable[–

- (a) on conviction on indictment, to imprisonment for a term not exceeding 2 years, or to a fine, or to both,
- (b) on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding level 5 on the uniform scale of fines for the time being in force under the Uniform Scale of Fines (Bailiwick of Guernsey) Law 1989^{*}, or to both.]

(2) If any person drives a vehicle or horse or other animal on a public highway without due care and attention or without reasonable consideration for other persons using that highway he shall be guilty of an offence and liable on conviction to a fine not exceeding [level 3 on the uniform scale] and in the case of a second or subsequent conviction, to a fine not exceeding [level 4 on the uniform scale].]

NOTES

Article V was substituted by the Vehicular Traffic (Amendment) Ordinance, 1981, section 1, with effect from 1st October, 1981.⁵

In Article V,

* Ordres en Conseil Vol. XXXI, p. 278.

*the words in square brackets in section (1) were substituted by the Vehicular Traffic (Amendment) Ordinance, 2006, section 1, with effect from , 26th July, 2006;*⁶

the words and figures in square brackets in section (2) were substituted by the Vehicular Traffic (Amendment) Ordinance, 1992, section 1, with effect from 30th September, 1992, subject to the transitional provision in section 2 of the 1992 Ordinance.

The following case has referred to Article V:

Hutchinson v. Law Officers of the Crown [2004] GLR 4.

Warning apparatus—for cycles, etc.; for motor vehicles. Warning apparatus not to be used—(i) to maintain speed; (ii) unnecessarily; (iii) when vehicle is stationary; (iv) between 11 p.m. and 7 a.m.

VI. ...

NOTE

*Article VI was repealed by the Motor Vehicles and Pedal Bicycles (Warning Apparatus) Ordinance, 1966, section 6, with effect from 27th July, 1966.*⁷

Article VII.

VII. ...

NOTE

*Article VII was repealed by the Ordonnance par rapport à la Taxation de Vélocipèdes, 1938, with effect from 12th February, 1938.*⁸

Special regulations relating to Motor Vehicles

Article VIII.

VIII. [(1) No person shall use or permit to be used on a public highway

any motor vehicle [from which is emitted any excessive smoke, visible vapour or oily substance][...]. Proceedings for a breach of the provisions of this section may be instituted against the owner or driver or both.]

(2) The driver of a motor vehicle shall, at the request of a driver in charge of horses or other animals stop his vehicle and keep it stopped as long as may be necessary.

(3) ...

(4) ...

(5) ...

[(6) ...]

NOTES

In Article VIII,

section (1) was substituted by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934;⁹

the words in the first pair of square brackets within section (1) were substituted by the Vehicular Traffic (Amendment) Ordinance, 1984, section 1, with effect from 28th March, 1984;

the words omitted in the second pair of square brackets within section (1) were repealed by the Vehicle Noise etc. Ordinance, 1986, section 5, with effect from 29th January, 1986;

section (3) and section (5) were repealed by the Ordinance, 1948, amending the Ordinance entitled "Ordonnance relative au Trafic Véhiculaire en cette Île", of the 2nd March, 1929, section 1, with effect from 11th September, 1948;

section (4) was repealed by the Driving Licences (Guernsey) Ordinance, 1995, section 26, Schedule 9, with effect from 1st September,

1995, subject to the savings in section 26(3) of the 1995 Ordinance;¹⁰

section (6) (which was originally inserted by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, Schedule, with effect from 20th July, 1934) was repealed by the Road Traffic (Speed Limits and General Provisions) Ordinance, 1955, section 14, Schedule, with effect from 5th December, 1955.¹¹

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 Article VIII of this Ordinance may be discharged by payment of a fixed penalty.¹²

Article IX.

- IX.** (1) ...
- (2) ...
- (3) ...
- (4) ...
- (5) ...
- (6) ...
- (7) ...
- (8) ...
- (9) ...
- (10) ...

(11) ...

(12) ...

(13) ...

(14) ...

(15) ...

[(16) It is hereby declared that nothing in this Article is to be treated as conferring on the holder of any licence granted under this Article any right to the continuance of any benefits arising from the provisions of this Article or from any licence granted thereunder or from any conditions attached to any such licence.]

NOTES

In Article IX,

sections (1) to (13) inclusive and section (15) (which were never printed in the Recueils d'Ordonnances) were repealed by the Passenger Transport Ordinance, 1949, section 1, Schedule, with effect from 19th December, 1949;¹³

section (14) was repealed by the Road Traffic (Permits to Drive Public Service Vehicles) Ordinance, 1986, section 16, with effect from 30th January, 1986;¹⁴

section (16) was substituted by the Ordonnance portant amendement à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, with effect from 28th November, 1931.

[Article X – Miscellaneous powers of the Committee.

X. The Committee is hereby authorised to –

- (a) determine which of any two roads which intersect or join each other is the major road and to designate such road as the major road by means of a sign placed in or on any minor road leading thereto at or near its junction therewith, and
- (b) erect, maintain, and alter on or near any public highway, or to remove therefrom, places of refuge for pedestrians.]

NOTE

Article X was substituted by the Road Traffic (Miscellaneous Amendments) Ordinance, 2018, section 3(2), with effect from 22nd May, 2018, subject to the savings in section 5 of the 2018 Ordinance.¹⁵

Regulations as to Lighting

Article XI.

XI. ...

NOTE

Article XI was repealed by the Vehicular Traffic (Lighting) Ordinance, 1963, section 12(c), with effect from 1st January, 1964.

[Article XII.

XII. (1) Any person alleged to have acted in contravention of any provision of this Ordinance or of any other Ordinance relating to Vehicular Traffic in this Island shall give his name and address when requested so to do, and any person shall, if required so to do, give any information which it is within his power to give

which may lead to the identification of an offender against such Ordinance.

[(2) If in any case, owing to the presence of a vehicle on a public highway, an accident occurs whereby personal injury is caused to a person other than the driver of that vehicle or damage is caused to a vehicle other than that vehicle or a trailer drawn thereby or to an animal other than an animal in or on that vehicle or trailer drawn thereby or to property of any other description whatsoever, the driver of the vehicle shall stop immediately and, if required so to do by any person having reasonable grounds for so requiring, give his name and address, and also the name and address of the owner and the identification mark of the vehicle.

(3) If in the case of any such accident as aforesaid the driver of the vehicle for any reason does not give his name and address to any such person as aforesaid, he shall report the accident at the police station or to a member of the Police Force as soon as reasonably practicable, and in any case within twenty-four hours of the occurrence thereof.

(4) Any person who acts in contravention of the provisions of sections (2) or (3) of this Article shall be liable, on conviction, to a fine not exceeding [level 3 on the uniform scale] or to imprisonment for a term not exceeding three months.]]

NOTES

Article XII was substituted by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934.

In Article XII,

section (2) was substituted, and section (3) and section (4) were inserted, by the Vehicular Traffic (Reporting of Accidents) (Amendment) Ordinance, 1969, section 1, with effect from 17th December, 1969;

the words and figure in square brackets within section (4) were

substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.¹⁶

In accordance with the provisions of the Police Property and Forfeiture (Bailiwick of Guernsey) Law, 2006, section 3(6)(c), with effect from 12th March, 2008, where a person commits an offence by failing, as the driver of a vehicle, to comply with section (2) or section (3) of this Article, then the vehicle shall be regarded for the purposes of section 3(1) and section 4(1)(b) of the 2006 Law as used for the purpose of committing the offence and for the purpose of committing any offence of aiding, abetting, counselling or procuring the commission of the offence.

[Article XIII.]

XIII. Unless otherwise specifically provided for in this Ordinance, any person who acts in contravention of this Ordinance or of any of its provisions [...], or of any condition, proviso or limitation inserted in a licence respecting a public service vehicle, or who gives any information required to be given under this Ordinance which, to the knowledge of such person, is false in any particular, shall be guilty of an offence and shall be liable to a fine not exceeding [level 3 on the uniform scale, and for every subsequent offence to a fine not exceeding level 4 on the uniform scale].]

NOTES

*Article XIII was substituted by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934 and, in accordance with the provisions of Column 2 of the said Schedule, the expression "**in contravention of any of its provisions**" herein shall mean in contravention of the provisions of this, the 1929, Ordinance, as amended by the 1934, or any other, Ordinance: Provided that the repeal of any Article or section repealed by the 1934 Ordinance shall not prevent the institution of any legal proceedings or the infliction of any penalty, forfeiture or punishment in respect of any contravention of any Article or section so repealed.*

In Article XIII,

the words omitted in the first pair of square brackets were repealed by the Road Traffic (Miscellaneous Amendments) Ordinance, 2018, section 3(3), with effect from 22nd May, 2018, subject to the savings in section 5 of the 2018 Ordinance;

the words and figures in the second pair of square brackets were substituted by the Miscellaneous Offences (Increase in Fines) Ordinance, 1996, section 2, with effect from 27th November, 1996.¹⁷

Fines

Article XIV.

XIV. The fines under this Ordinance shall be paid half to His Majesty and half to the informer.

NOTE

The Ordinance was made and came into operation on 2nd March, 1929.

Driving test fees

...]

NOTE

The Schedule (which was originally inserted by the Driving Tests (Increase of Fees) Ordinance, 1992, section 1(2), with effect from 5th October, 1992) was repealed as a consequence of the repeal of section (4) of Article VIII by the Driving Licences (Guernsey) Ordinance, 1995, section 26, Schedule 9, with effect from 1st September, 1995, subject to the savings in section 26(3) of the 1995 Ordinance.

RECOGNISED SIGNALS

The following are recognised signals and all drivers of vehicles are strongly recommended to familiarise themselves with them and to use them.

Signals to Drivers of other Vehicles

No. 1. — "I am going to slow down, or stop, or turn to my left."

Extend the right arm *with the palm of the hand turned downwards* and move the arm slowly up and down, keeping the wrist loose.

No. 2. — "I am going to turn to my right. (This signal may be used in any circumstances when it may be necessary to convey the warning: "It is dangerous to overtake me on my right".)

Extend the right arm and hand, *with the palm turned to the front*, and hold them *rigid*, in a horizontal position straight out from the side of the vehicle.

No. 3. — "You may overtake me on my right."

Extend the right arm and hand *below* the level of the shoulder, and move them backwards and forwards.

The drivers of *horse drawn* vehicles should preferably use the three foregoing signals, giving them where possible by hand alone, and in any case keeping the whip (if any) clear of other traffic. Alternatively, the following signals may be used—

No. 4. — "I am going to stop."

Raise the whip vertically with the arm extended above the right shoulder.

No. 5. — "I am going to turn."

Rotate the whip above the head, then incline the whip to the right or left to show the direction in which the turn is to be made.

REPEALED

¹ Previously, the words substituted were, in part, inserted by the Driving Tests (Amendment and Transfer of Functions) Ordinance, 1990, section 4(1), with effect from 17th April, 1990.

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 States Traffic Committee arising 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 2, with effect from 29th July, 1992, subject to the savings in section 2 of the 1992 Ordinance; the functions of the Island Traffic Committee arising under this Ordinance were previously transferred to it from the States Board of Administration and the States Supervisor by the Vehicle Registration and Licensing (Transfer of Functions) (Guernsey) Law, 1991, section 1(1), Schedule, with effect from 6th August, 1991, subject to the savings in section 2 of the 1991 Law.

⁴ 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) of Article II may have been discharged by payment of a fixed penalty.

⁵ Article V was previously substituted by the Vehicular Traffic Ordinance, 1952, section 1, with effect from 21st April, 1952; and amended by the Vehicular Traffic and Other Offences (Increase in Fines) Ordinance, 1979, section 1, with effect from 31st January, 1979.

⁶ Prior to their substitution, these words were amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law 1989, section 2(2) and section 2(4), with effect from 1st July, 1989.

⁷ Prior to its repeal, Article VI was amended by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934 (which amendments were not printed in the Recueils d'Ordonnances) and the Ordonnance relative au Trafic Véhiculaire, 1938, paragraph (i), with effect from 26th November, 1938, subject to the savings in paragraph (b) of the 1938 Ordinance; then substituted by the Ordonnance relative au Trafic Véhiculaire, 1938, paragraph (a), with effect from 26th November, 1938, subject to the savings in paragraph (b) of the 1938 Ordinance; the operation of section (1) of Article VI was modified, and that of section (2) thereof was suspended, between 7th August, 1940 and 27th July, 1966 in accordance with the provisions of the Ordonnance relative au Trafic Véhiculaire (Sonnettes de Bicyclettes, etcetera), 1940.

⁸ Prior to its repeal, Article VI was amended by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934 (which

amendments were not printed in the Recueils d'Ordonnances).

9 Section (1) was subsequently amended by the Ordonnance relative au Trafic Véhiculaire, 1938, paragraph (i), with effect from 26th November, 1938, subject to the savings in paragraph (b) of the 1938 Ordinance, by the repeal of the words "or from the unreasonable use of any bell, horn or other apparatus", and the version herein of the said section (1) is that as so printed subsequent to having been so amended.

10 Prior to its repeal, section (4) was amended by the following: the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934 (which amendments were not printed in the Recueils d'Ordonnances); the Ordonnance ayant rapport au Trafic Véhiculaire en cette Île, 1938, with effect from 19th March, 1938; the Ordinance, 1948, amending the Ordinance entitled "Ordonnance relative au Trafic Véhiculaire en cette Île" of the 2nd March, 1929, section 2, with effect from 11th September, 1948; the Vehicular Traffic Driving Test Fee Ordinance, 1949, with effect from 9th March, 1949; the Vehicular Traffic (Driving Test Fee) Ordinance, 1957, with effect from 16th October, 1957; the Vehicular Traffic (Driving Licences) (Amendment) Ordinance, 1962, section 1, with effect from 28th November, 1962; the Vehicular Traffic (Driving Test Fee) (Amendment) Ordinance, 1967, section 1, with effect from 1st February, 1967; the Vehicular Traffic (Driving Test Fee) (Amendment) Ordinance, 1969, section 1, with effect from 1st February, 1969; the States Supervisor and Treasurer of the States (Transfer of Functions) Ordinance, 1972, section 1 (transfer of functions) & section 3, with effect from 1st April, 1972; the Vehicular Traffic (Driving Test Fee) (Amendment) Ordinance, 1977, section 1, with effect from 1st June, 1977; the Vehicular Traffic (Driving Test Fee) (Amendment) Ordinance, 1981, section 1, with effect from 1st January, 1982; the Vehicular Traffic (Driving Test Fee) (Amendment) Ordinance, 1984, section 1, with effect from 1st August, 1984; the Driving Tests (Amendment and Transfer of Functions) Ordinance, 1990, section 1 (transfer of functions) & section 4(2), with effect from 17th April, 1990; the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 2(c) and (d), with effect from 30th September, 1992; the Driving Tests (Increase of Fees) Ordinance, 1992, section 1(1), with effect from 5th October, 1992.

11 Prior to its repeal, section (6) (the text of which, as originally inserted, was not printed in the Recueils d'Ordonnances) was substituted by the Ordonnance supplémentaire ayant rapport au Trafic Véhiculaire, 1938, with effect from 29th October, 1938.

12 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) of Article VIII may have been discharged by payment of a fixed penalty.

13 Prior to this repeal, Article IX was substituted by the Ordonnance portant amendement à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Île du 2

mars 1929, with effect from 28th November, 1931; section (11) was amended by the Provisional Ordinance Amending Provisional Ordinance (No. XXXII of 1939) relating to Vehicular Traffic, 1946, with effect from 30th November, 1946; section (13) was amended by the Road Traffic (Appeals) (Provisional) Ordinance, 1947, section 1 and section 2, with effect from 22nd February, 1947.

14 Prior to its repeal, section (14) was substituted by the Ordonnance portant amendement à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, with effect from 28th November, 1931; and amended by the Public Transport Licensing Ordinance, 1966, section 51, with effect from 29th June, 1966; the Road Traffic (Permits to Drive Public Service Vehicles) Ordinance, 1976, section 1, with effect from 28th January, 1976; the Public Transport Licensing Ordinance, 1983, section 59, with effect from 27th July, 1983.

15 Prior to its substitution, Article X was substituted by the Ordonnance portant amendement à l'Ordonnance provisoire ayant rapport au Trafic Véhiculaire en cette Île du 2 mars 1929, 1934, Schedule, with effect from 20th July, 1934; and amended by the Ordonnance ayant rapport au Trafic Véhiculaire en cette Île, 1945, with effect from 8th September, 1945; the Traffic Regulations (Public Notice) (Repeal) Ordinance, 1949, section 2, with effect from 30th March, 1949; the Passenger Transport Ordinance, 1949, section 1, Schedule, with effect from 19th December, 1949; the Vehicular Traffic (Traffic Signs) Ordinance, 1961, section 7, Schedule, with effect from 15th March, 1961; the Road Traffic (Parking Places) Ordinance, 1963, section 9, Schedule, with effect from 12th August, 1963; the Road Traffic Temporary Regulations and Clearways (Amendment) Ordinance, 1990, section 1(1), with effect from 30th April, 1990; the Island Traffic Committee (Transfer of Functions) (No. 2) Ordinance, 1992, section 4, Schedule 2, paragraph 2(e), with effect from 30th September, 1992; the Vehicular Traffic (Speed Limits) (Amendment) Ordinance, 2002, section 1, with effect from 25th September 2002.

16 These words and figures were previously substituted by the Road Traffic (Increase in Fines) Ordinance, 1988, section 1, with effect from 1st August, 1988.

17 These words and figures were previously substituted by the Vehicular Traffic and Other Offences (Increase in Fines) Ordinance, 1979, section 1(c), with effect from 31st January, 1979; the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.