



Road Traffic Act 1930

1930 CHAPTER 43

PART I

REGULATION OF MOTOR VEHICLES.

Provisions as to Driving and Offences in connection therewith.

9 Restriction on driving by young persons.

- (1) A person under sixteen years of age shall not drive a motor vehicle on a road unless on first applying for a licence after the commencement of this Act he satisfies the licensing authority that he was during the six months immediately preceding the first day of January, nineteen hundred and thirty, in the habit of driving a motor vehicle.
- (2) A person under seventeen years of age shall not drive a motor vehicle other than a motor cycle or an invalid carriage on a road.
- (3) A person under twenty-one years of age shall not drive a heavy locomotive, light locomotive, motor tractor or heavy motor car on a road unless on first applying for a licence after the commencement of this Act he satisfies the licensing authority that he was during the six months immediately preceding the first day of January, nineteen hundred and thirty, in the habit of driving a motor vehicle of that class :

Provided that a vehicle being an agricultural tractor shall not be deemed to be driven on a road within the meaning of this subsection while it is being so driven in the course of the internal operations of a farm.

- (4) Any person who drives, or causes or permits any person to drive, a motor vehicle in contravention of this section, shall be guilty of an offence.
- (5) A person prohibited by this section by reason of his age from driving a motor vehicle or a motor vehicle of any class, shall, for the purposes of this Part of this Act, be deemed to be disqualified under the provisions of this Part of this Act for holding or obtaining any licence other than a licence to drive such motor vehicles, if any, as he is not by this section forbidden to drive.

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10 Rate of speed.

- (1) It shall not be lawful for any person to drive a motor vehicle of any class or description on a road at a speed greater than the speed specified in the First Schedule to this Act as the maximum speed in relation to a vehicle of that class or description, and if any person acts in contravention of this section he shall be guilty of an offence.
- (2) A first or second conviction for an offence under this section shall not render the offender liable to be disqualified for holding or obtaining a licence.
- (3) A person charged under this section with the offence of driving a motor vehicle of any class or description on a road at a speed greater than the maximum speed allowed in the case of a vehicle of that class or description, shall not be liable to be convicted of the offence solely on the evidence of one witness to the effect that in the opinion of the witness the person charged was driving the vehicle at such greater speed.
- (4) The Minister may by regulation vary, subject to such conditions as may be specified in the regulation, the provisions of the First Schedule to this Act provided that—
 - (a) no speed limit shall be imposed on any vehicle in the case of which no speed limit is provided by the said Schedule; and
 - (b) a regulation under this subsection shall be of no effect unless and until it has been approved by a resolution passed by each House of Parliament.
- (5) If any person is convicted under section five of the Summary Jurisdiction Act, 1848, of aiding, abetting, counselling or procuring any person who is employed by him to drive, or is subject to his orders in driving, a motor vehicle on a road to commit an offence under this section, he shall, instead of being liable on being so convicted to the same punishment as the principal offender, be liable in the case of a first conviction to a fine not exceeding fifty pounds, and in the case of a second or subsequent conviction, to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment, and if any person is convicted summarily of the offence of inciting to commit an offence under this section, he shall, notwithstanding anything in proviso (c) to subsection (1) of section twenty-four of the Criminal Justice Act, 1925, be liable to the same punishment as if he had procured the commission of an offence under this section.
- (6) If a person who employs other persons to drive motor vehicles on roads publishes or issues any time table or schedule or gives any directions, under which any journey or any stage or part of any journey is to be completed within some specified time and it is not practicable in the circumstances of the case for that journey or that stage or part of the journey to be completed in the specified time without an infringement of the provisions of this section, the publication or issue of the said time table or schedule or the giving of the directions may be produced as prima facie evidence that the employer, as the case may be, procured or incited the persons employed by him to drive the vehicles to commit an offence under this section.

11 Reckless or dangerous driving.

- (1) If any person drives a motor vehicle on a road 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 the road, and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the road, he shall be liable—

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- (a) on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding four months, and in the case of a second or subsequent conviction either to a fine not exceeding one hundred pounds or to such imprisonment as aforesaid or to both such fine and imprisonment;
 - (b) on conviction on indictment to imprisonment for a term not exceeding six months or to a fine, or to both such imprisonment and fine.
- (2) The court shall order particulars of any such conviction to be endorsed on any licence held by the person convicted.
- (3) On a second or subsequent conviction under this section the convicting court shall exercise the power conferred by this Part of this Act of ordering that the offender shall be disqualified for holding or obtaining a licence unless the court, having regard to the lapse of time since the date of the previous or last previous conviction or for any other special reason thinks fit to order otherwise, but this provision shall not be construed as affecting the right of the court to exercise the power aforesaid on a first conviction.
- (4) Where a person is convicted of aiding, abetting, counselling or procuring, or inciting the commission of an offence under this section, and it is proved that he was present in the vehicle at the time of the commission of the offence, the offence of which he is convicted shall, for the purpose of the provisions of this Part of this Act relating to disqualification for holding or obtaining licences, be deemed to be an offence in connection with the driving of a motor vehicle.

12 Careless driving.

- (1) If any person drives a motor vehicle on a road without due care and attention or without reasonable consideration for other persons using the road he shall be guilty of an offence.
- (2) A first or second conviction for an offence under this section shall not render the offender liable to be disqualified for holding or obtaining a licence.

13 Prohibition of motor racing and speed trials on highways.

- (1) Any person who promotes or takes part, in a race or trial of speed between motor vehicles on a public highway shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or to both such imprisonment and fine.
- (2) A person convicted of an offence under this section shall, unless the court for special reasons thinks fit to order otherwise and without prejudice to the power of the court to order a longer period of disqualification, be disqualified for a period of twelve months from the date of the conviction for holding or obtaining a licence.

14 Prohibition of driving motor vehicles elsewhere than on roads.

- (1) If without lawful authority any person drives a motor vehicle on to or upon any common land, moor land or other land of whatsoever description (not being land forming part of a road), or on any road being a bridleway or footway, he shall be guilty of an offence, and shall be liable in the case of a first conviction to a fine not exceeding five pounds, and in the case of a second or subsequent conviction to a fine not exceeding ten pounds:

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Provided that—

- (a) it shall not be an offence under this section to drive a motor vehicle on any land within fifteen yards of a road, being a road on which a motor vehicle may lawfully be driven, for the purpose only of parking the vehicle on that land; and
 - (b) a person shall not be convicted of an offence under this section if he proves to the satisfaction of the court that the motor vehicle was driven in contravention of this section for the purpose of saving life or extinguishing fire or meeting any other like emergency.
- (2) It is hereby declared that nothing in this section prejudices the operation of section one hundred and ninety-three of the Law of Property Act, 1925 (which relates to the rights of the public over commons and waste lands), or of any byelaws applying to any land or affects the law of trespass to land or any right or remedy to which any person may by law be entitled in respect of any such trespass or in particular confers any right to park a vehicle on any land.

15 Punishment of persons driving motor vehicles when under influence of drink or drugs.

- (1) Any person who when driving or attempting to drive, or when in charge of, a motor vehicle on a road or other public place is under the influence of drink or a drug to such an extent as to be incapable of having proper control of the vehicle, shall be liable—
 - (a) on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding four months, and in the case of a second or subsequent conviction either to a fine not exceeding one hundred pounds or to such imprisonment as aforesaid or to both such fine and imprisonment;
 - (b) on conviction on indictment to imprisonment for a term not exceeding six months or to a fine, or to both such imprisonment and fine.
- (2) A person convicted of an offence under this section shall, unless the court for special reasons thinks fit to order otherwise and without prejudice to the power of the court to order a longer period of disqualification, be disqualified for a period of twelve months from the date of the conviction for holding or obtaining a licence.
- (3) A person liable to be charged with an offence under this section shall not be liable to be charged under section twelve of the Licensing Act, 1872, with the offence of being drunk while in charge, on a highway or other public place, of a carriage.
- (4) A police constable may arrest without warrant any person committing an offence under this section.

16 Restriction on pillion riding.

- (1) It shall not be lawful for more than one person in addition to the driver to be carried on any two-wheeled motor cycle, nor shall it be lawful for any such one person to be so carried otherwise than sitting astride the cycle and on a proper seat securely fixed to the cycle behind the driver's seat.
- (2) If any person is carried on any such cycle in contravention of the provisions of this section, the driver of the cycle shall be liable in the case of the first conviction to a

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fine not exceeding five pounds, and in the case of a second or subsequent conviction to a fine not exceeding ten pounds.

17 Requirements as to employment of drivers and attendants.

- (1) In the case of heavy locomotives and light locomotives, two persons shall be employed in driving or attending the locomotive whilst being driven on any highway, and where any such locomotive is drawing a trailer or trailers on a highway one or more persons, in addition to the persons employed as aforesaid, shall be employed for the purpose of attending to the trailer or trailers at the rate of one such additional person for each trailer in excess of one.

Provided that this subsection shall not apply to a road roller while engaged in rolling a road.

- (2) Where a motor vehicle other than a heavy locomotive or a light locomotive is drawing a trailer or trailers on a highway, one person, in addition to the driver of the vehicle, shall be carried either on the vehicle or on a trailer for the purpose of attending to the trailer or trailers.
- (3) For the purposes of this section the expression " trailer " shall not include any vehicle used solely for carrying water for the purposes of the drawing vehicle or any agricultural vehicle not constructed to carry a load.
- (4) If any person causes or permits a motor vehicle or trailer to be driven or drawn in contravention of this section, he shall be guilty of an offence.
- (5) The Minister may by regulation vary the requirements of this section in respect of any class or description of motor vehicles or any class or description of trailers.

18 Restriction on the number of trailers drawn.

- (1) The number of trailers, if any, which may be drawn by a motor vehicle on a highway shall not exceed—
- (a) in the case of a heavy locomotive or light locomotive, three;
 - (b) in the case of a motor tractor, one, if laden, or two, if unladen;
 - (c) in the case of a motor car or a heavy motor car, one;
- or such less number as may be prescribed in relation to vehicles of the respective classes aforesaid.
- (2) For the purposes of this section the expression " trailer " shall not include any vehicle used solely for carrying water for the purposes of the drawing vehicle or any agricultural vehicle not constructed to carry a load.
- (3) If any person causes or permits a trailer to be drawn in contravention of this section, he shall be guilty of an offence.

19 Limitation of time for which drivers of certain vehicles may remain continuously on duty.

- (1) With a view to protecting the public against the risks which arise in cases where the drivers of motor vehicles are suffering from excessive fatigue, it is hereby enacted that it shall not be lawful in the case of—
- (a) any public service vehicle within the meaning of Part IV of this Act;

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- (b) any heavy locomotive, light locomotive or motor tractor; or
- (c) any motor vehicle constructed to carry goods other than the effects of passengers;

for any person to drive or cause or permit any person employed by him or subject to his orders to drive—

- (i) for any continuous period of more than five hours and one half; or
- (ii) for continuous periods amounting in the aggregate to more than eleven hours in any period of twenty-four hours commencing two hours after midnight; or
- (iii) so that the driver has not at least ten consecutive hours for rest in any period of twenty-four hours calculated from the commencement of any period of driving;

Provided that it shall be a sufficient compliance with the provisions of paragraph (iii) if the driver has at least nine consecutive hours for rest in any such period of twenty-four hours provided that he has an interval of at least twelve consecutive hours for rest in the next following period of twenty-four hours.

- (2) For the purposes of this section—
 - (a) any two or more periods of time shall be deemed to be a continuous period unless separated by an interval of not less than half-an-hour- in which the driver is able to obtain rest and refreshment;
 - (b) any time spent by a driver on other work in connection with a vehicle or the load carried thereby, including in the case of a public service vehicle any time spent on a vehicle while on a journey in any other capacity than as a passenger shall be reckoned as time spent in driving;
 - (c) in the case of a vehicle which is being used in the course of operations of agriculture or forestry a person shall not be deemed to be driving the vehicle or to be spending time on work in connection with the vehicle or the load carried thereby so long as the vehicle is elsewhere than on a road.
- (3) The Minister may, on the application of a joint industrial council, conciliation board, or other similar body, or on a joint application by such organisations, representative of employers and workpeople in the industry, as the Minister of Labour may certify to be proper bodies to make such an application, and after referring the matter to the Industrial Court for advice, by order vary the periods of time prescribed in this section, provided that he is of opinion that such variation is not likely to be detrimental to the public safety.

Any order made under this subsection may be revoked or varied by a subsequent order made in like manner and subject to the like conditions.

- (4) If any person acts in contravention of this section, he shall be guilty of an offence:

Provided that a person shall not be liable to be convicted under this section if he proves to the court that the contravention was due to unavoidable delay in the completion of any journey arising out of circumstances which he could not reasonably have foreseen.
- (5) This section shall not apply to motor vehicles used for fire brigade or ambulance purposes.

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20 Duty to give name and address and to stop and power of arrest in certain cases.

- (1) If the driver of a motor vehicle who is alleged to have committed an offence under the foregoing provisions of this Act as to reckless or dangerous driving or careless driving refuses, on being so required by any person having reasonable ground for so requiring, to give his name or address, or gives a false name or address, he shall be guilty of an offence.
- (2) Any police constable may arrest without warrant the driver of any motor vehicle who within his view commits any offence under the provisions of this Act as to reckless or dangerous driving or careless driving, unless the driver either gives his name and address or produces his licence for examination.
- (3) Any person driving a motor vehicle on a road shall stop the vehicle on being so required by a police constable in uniform, and if he fails so to do shall be liable to a fine not exceeding five pounds.

21 Restrictions on prosecutions under the preceding sections.

Where a person is prosecuted for an offence under any of the provisions of this Part of this Act relating respectively to the maximum speed at which motor vehicles may be driven, to reckless or dangerous driving, and to careless driving he shall not be convicted unless either—

- (a) he was warned at the time the offence was committed that the question of prosecuting him for an offence under some one or other of the provisions aforesaid would be taken into consideration; or
- (b) within fourteen days of the commission of the offence a summons for the offence was served on him; or
- (c) within the said fourteen days a notice of the intended prosecution specifying the nature of the alleged offence and the time and place where it is alleged to have been committed was served on or sent by registered post to him or the person registered as the owner of the vehicle at the time of the commission of the offence:

Provided that—

- (i) Failure to comply with this requirement shall not be a bar to the conviction of the accused in any case where the court is satisfied that—
 - (1) neither the name and address of the accused nor the name and address of the registered owner of the vehicle, could with reasonable diligence have been ascertained in time for a summons to be served or for a notice to be served or sent as aforesaid; or
 - (2) the accused by his own conduct contributed to the failure; and
- (ii) the requirement of this section shall in every case be deemed to have been complied with unless and until the contrary is proved.