

## SECTION 86—TRAFFIC REGULATIONS

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*Legal Notices Nos. 35 of 1974; 216 of 1974; 43 of 1975; 73 of 1975; 86 of 1975; 10 of 1976;  
169 of 1976; 43 of 1977; 60 of 1977; 96 of 1977; 129 of 1978; 164 of 1978; 49 of 1979;  
49 of 1980; 181 of 1980; 4 of 1981; 74 of 1981; 55 of 1985; 64 of 1985*

## PART I—PRELIMINARY

*Short title*

1. These Regulations may be cited as the Traffic Regulations.

*Interpretation*

2. In these Regulations, unless the context otherwise requires—  
“appropriate form” means a form approved by the Authority for use in any  
particular case pursuant to the Act or these Regulations;

“articulated vehicle” means any motor vehicle with a trailer, such trailer being called a semi-trailer, having no front axle as such, and so attached that part of the trailer is superimposed upon the motor vehicle, and a substantial part of the weight of the trailer and of its load is borne by the motor vehicle;

“axle” means any part of a vehicle through which weight is transmitted directly through a bearing to a road wheel or the equivalent thereof, or 2 or more road wheels or their equivalent being substantially in alignment:

Provided that where 2 or more wheels of a motor vehicle are substantially in a line transversely and some or all of them have separate axles, the axles of all those wheels shall for the purpose of these Regulations be deemed to be 2 axles;

“certifying officer” has the same meaning as in Part V of the Act;

“conductor” means a person employed by the holder of a licence to issue tickets and collect moneys on an omnibus;

“controlled zone” means the area of an intersection and all that area of a road 20 feet from the sides of the square, rectangle or other geometrical design formed by the prolongation and connection of the lateral boundary lines of each roadway;

“direction indicator” means a lamp or lamps or a device fitted to or carried by a motor vehicle for the purpose of indicating a change in the direction of such motor vehicle;

“examining officer” means a person appointed under the provisions of the Act to conduct tests of competence to drive motor vehicles;

“entrance” means any aperture or space by which persons are intended to board a vehicle;

“exit” means any aperture or space by which persons are intended to leave a vehicle;

“footpath” means that area between the kerb lines or lateral lines of a roadway and the adjacent property lines improved by the laying or formation of concrete, gravel, grass or other material for the use of pedestrians;

“full time driver” means a person who is employed solely in driving a vehicle;

“goods” means all kinds of movable property, including animals;

“headlamp” means a lamp or lamps required to be carried by a motor vehicle by the provisions of regulation 58;

“hovercraft” means a contrivance propelled by mechanical power which is designed to be supported by and to move on a cushion of air created by downward thrust of its motor;

“intersection” in relation to 2 intersecting or meeting roads, means that area contained within the prolongation of the lateral boundary lines of each road;

“level crossing” means that area where a rail line crosses a roadway;

“night” means the interval between sunset and sunrise;

“omnibus” means a heavy public service vehicle;

“operate” in relation to a vehicle, means to use or drive, or to cause or permit to be used or driven, or to permit to be on any road, a vehicle

- whether or not the person causing or permitting the vehicle to be used or driven or to be on any road is present;
- “overall length” means the overall length of a vehicle exclusive of the bumpers and rear rubbing strip, and includes any chassis projection beyond the bonnet or to the rear;
- “overall width” means the width measured between parallel planes passing through the extreme projection points of the vehicle exclusive of any driving mirror or mechanical signal when extended;
- “overhang” means the distance measured horizontally and parallel to the longitudinal axis of the vehicle between the 2 adjacent vertical planes at right angles to such axis, the one passing through that point which projects furthest to the front or rear (excluding bumpers and rear rubbing strips) and the other passing through the centre or centres of the front or rearmost wheel or wheels, or in the case of twin axles, a point midway between such axles;
- “overtaking” means passing or attempting to pass any other vehicle proceeding in the same direction;
- “park” or “parking” means the standing of a vehicle whether attended, occupied or otherwise upon a roadway, otherwise than temporarily for the purpose of, or while actually engaged in, loading or unloading merchandise or taking on or discharging passengers;
- “passenger” means a person travelling in or on a motor vehicle other than a driver engaged in driving the vehicle, a ticket inspector or a conductor engaged in his duties as such;
- “pedestrian” means any person on foot upon a road or footpath, and includes any person carried in a vehicle not propelled by mechanical power; and also includes any person on a vehicle, tricycle or scooter designed principally for use by children for the purpose of play;
- “pedestrian crossing” means any area of a roadway marked by white or yellow stripes which are approximately parallel to the centre line of such roadway;
- “rear lamp” means a lamp or lamps required by the provisions of regulation 61 to be carried at the rear of a motor vehicle;
- “roadway” means that portion of a road or street improved, designed or actually used or reasonably usable for the time being, by vehicles;
- “safety glass” means glass so constructed or treated that if fractured it does not fly into fragments and is less likely to cause severe cuts or physical injury than ordinary glass;
- “side lamp” means a lamp required by the provisions of regulation 59 or 63;
- “stop” or “stopping” means the coming to rest of a vehicle except when necessary to avoid collision or in compliance with the direction of a police officer or traffic sign;
- “uncontrolled intersection” means any intersection the traffic at which is not for the time being controlled by a police officer, by traffic lights or by a stop sign;
- “use” in relation to a vehicle, includes driving, drawing or propelling by means of another vehicle, or permitting to be on any road, and “to use” has a corresponding meaning;

"wheel" means a wheel the tyre of which is in contact with the ground;  
"wheel base" means the distance between the planes perpendicular to the longitudinal axis of the vehicle, which pass through the centre or centres of the front wheel or wheels and the centre or centres of the rearmost wheel or wheels or, in the case of twin axles, through a point midway between such axles;

"work", in connection with the provisions of Part IV, means work of any description performed by a driver under the terms of his employment whether in connection with a vehicle or its load or otherwise.

*Forms*

3. Every application, licence or other document required to be prescribed by or under the provisions of the Act shall, except as otherwise provided, be in conformity with the appropriate form.

*Fees*

4. Where, by or under the provisions of the Act, fees are required to be prescribed such fees shall be the appropriate fees prescribed by the provisions of the Traffic (Fees) Regulations.

**PART II—LICENSING AND REGISTRATION**  
*Division 1—Vehicle Licences*

*Initial licence*

5. On the first licensing of any motor vehicle after 27 February 1974, the applicant for such licence shall apply to a licensing authority on the appropriate form.

*Vehicle licence and licence sticker*

6. Every vehicle licence and licence sticker shall be of such size, colour and shape and shall contain such particulars as the Principal Licensing Authority shall direct.

*Limitation on licensing of private motor vehicles*

7. Except with the express written authority of the Authority and subject to such conditions as it may impose, no motor vehicle shall be licensed as a private motor vehicle if it is constructed or adapted to carry more than 12 passengers including the driver.

*New licences on alteration of vehicle*

8. Where, under the provisions of section 16 of the Act, a licence in respect of a motor vehicle becomes void and a new licence is required to be issued, an application shall be made to the licensing authority on the appropriate form and, before a new licence may be issued the applicant shall produce the vehicle to the licensing authority and give such information as may be necessary to enable the authority to re-licence the vehicle.

*Transfer of ownership*

9. An application for the transfer of the ownership of a motor vehicle shall be made on the appropriate form and shall be accompanied by the prescribed fee.



*Certificate of roadworthiness*

10. A certificate required under the provisions of subsection (2) of section 11 of the Act shall be in the form of the appropriate form.

*Registration plates and numbers*

11.—(1) The provisions of this regulation shall apply to registration numbers assigned and registration plates issued under the provisions of section 16 of the Act and shall come into force on 1 February 1976 in respect of vehicles first licensed on or after that date, and on 1 June 1981 in respect of vehicles first registered before 1 February 1976:

Provided that the Principal Licensing Authority may, on application made to him, issue, at any time between 1 February 1976, and 1 June 1981, registration plates of the type prescribed by this regulation to motor vehicles first licensed before 1 February 1976.

(2) The Principal Licensing Authority shall assign registration numbers and letters to all vehicles and shall issue in respect thereof registration plates as prescribed by this regulation.

(3) The letters and numbers assigned under the provisions of paragraph (2) shall be shown on registration plates which shall be rectangular and shall be affixed to the front and rear of the vehicle in such manner as to be clearly visible to any person approaching either from the front or the rear of such vehicle:

Provided that it shall not be necessary for a registration plate to be affixed to the front of a trailer.

(4) Except in the case of a motor cycle, the size of the registration plate shall be not less than fourteen and eleven sixteenths inches (373.064 mm.) in length and five and one quarter inches (133.35 mm.) in width and the letters and numbers constituting the registration number shall be inscribed in 1 line on the plate and shall be not less than three and one quarter inches (82.35 mm.) in height and every part of such letter or number shall be not less than seven sixteenths of an inch (11.111 mm.) stroke width; the total width of the space taken up by each letter or number, except in the case of the letter "I" or the number "1" shall be not less than one and one-half inches (38.1 mm.).

(5) In the case of a motor cycle, the size of the registration plate shall be not less than seven and one quarter inches (184.15 mm.) in length and three and three quarter inches (92.25 mm.) in width, and the letters and numbers constituting the registration number shall be inscribed in 1 line on the plate and shall be not less than one and fifteen sixteenths inches (49.211 mm.) in height, and every part of such letter or number shall be not less than one quarter of an inch (6.35 mm.) stroke width; the total width of the space taken up by each letter or number, except in the case of the letter "I" or the number "1" shall be not less than fifteen sixteenths of an inch (23.811 mm.).

(6) The letters and numbers constituting the registration number shall be black on a reflective white background, except in the case of a Government vehicle the letters and number of which shall be blue on a reflective white background.

(7) Different classes of vehicles shall be distinguished by affixing in a conspicuous position on the registration plate whichever of the following styles of registration label is appropriate—

(a) for a private motor vehicle, a white reflective letter "P" on a black background;

(b) for a taxi, a white reflective letter "T" on a red background;

- (c) for a hire car, a white reflective letter "H" on a green background;
- (d) for a rental car, a black letter "R" on a yellow reflective background;
- (e) for a commercial vehicle, a white reflective letter "C" on a blue background;
- (f) for an omnibus, a white reflective letter "B" on a rustic-brown background; and
- (g) for a Government vehicle, the words "GOVERNMENT OF FIJI" inscribed in letters of royal blue on a white reflective background:

Provided that the Principal Licensing Authority, with the approval of the Central Traffic Authority, may prescribe other styles of registration label for any other class of vehicle.

(8) Notwithstanding the foregoing provisions of this regulation, the Principal Licensing Authority, with the approval of the Central Traffic Authority, may prescribe and issue special registration plates to motor vehicles which are exempt from fees or the fees of which have been remitted under the provisions of the Act.

(9) If the Principal Licensing Authority is satisfied that a registration plate issued under this regulation has been lost, destroyed or damaged, it may, on payment of the prescribed fee, issue a new plate in substitution for the plate so lost, damaged or destroyed.

*(Substituted by Legal Notice 10 of 1976; para. (1) amended by Legal Notice 4 of 1981; para. (9) inserted by Legal Notice 96 of 1977.)*

*Registration plates on trailers*

12. Every trailer drawn by a motor vehicle shall bear in a conspicuous position at the rear of such trailer, the registration number of the vehicle by which it is being drawn.

*Dealers general licence number plates*

13.—(1) The registration number plate issued in respect of a dealers general licence shall be displayed, on any vehicle being used under such licence, on plates issued by the Principal Licensing Authority and affixed to the front and rear of the vehicle in such manner as to be clearly visible to a person approaching the front or rear of the vehicle.

(2) Such plates shall be square or rectangular in shape and the letters and numbers forming the registration number shall be red on a white background and shall be of the same dimensions as those prescribed under the provisions of regulation 11.

(3) If the Principal Licensing Authority is satisfied that a plate issued to a dealer under the provisions of this regulation has been lost, destroyed or damaged, it may, on payment of the prescribed fee, issue a duplicate plate in replacement of the plate so lost, damaged or destroyed.

*Application for dealers general licence*

14. An application for a dealers general licence shall be made on the appropriate form.

*Dealers general licence conditions*

15. A dealers general licence issued under the provisions of section 21 of the Act shall be in the appropriate form and shall be subject to the following conditions:—

- (a) that no vehicle shall be used thereunder save for the purposes of the holder's business as a dealer in motor vehicles or a repairer thereof;

(b) that no person, other than—

- (i) the holder of the licence or his servant; or
- (ii) a *bona fide* prospective purchaser, provided he is accompanied by the holder of the licence or his servant; or
- (iii) an authorized examiner in the performance of his duties under the provisions of the Act or any regulations made thereunder,

shall use any vehicle thereunder.

*Registration of dealers general licences*

16. The Principal Licensing Authority shall keep a register of all dealers general licences issued by him, and shall, on payment of the prescribed fee, issue registration number plates in respect of each such licence.

*Document for use outside Fiji*

17. Any person intending to take a motor vehicle out of Fiji who wishes to obtain a document of the nature referred to in subsection (1) of section 22 of the Act may apply to the Principal Licensing Authority on the appropriate form and such person shall, if so required by the Principal Licensing Authority, produce the vehicle to a licensing authority.

*Identification marks for use outside Fiji*

18.—(1) Any person intending to take a motor vehicle out of Fiji who wishes to obtain an identification mark for such vehicle may apply to the Principal Licensing Authority who, on payment of the prescribed fee, shall issue such identification mark.

(2) The identification mark to be issued under the provisions of paragraph (1) shall consist of the letters "FJI".

*Division 2—Driving Licences*

*Application for driving test*

19.—(1) Any person who is required by the provisions of the Act to pass a test of competence to drive a motor vehicle other than a public service vehicle shall apply in writing on the appropriate form to a licensing authority who shall, on payment by the applicant of the prescribed fee, make arrangements for a driving test to be carried out and enter in the form the date of payment and the date, time and place allotted for the driving test, and shall sign the form and return a copy to the applicant.

(2) Any person who is required by the provisions of the Act to pass a test of competence to drive a public service vehicle shall apply in writing on the appropriate form to the Principal Licensing Authority and shall attach a copy of a recent photograph 50 mm by 50 mm in size portraying a front view of the applicant's head and shoulders. The Principal Licensing Authority shall, if he is satisfied that the applicant is a fit and proper person to hold a public service vehicle licence, require the licensing authority, on payment by the applicant of the prescribed fee, to make arrangements for a test to be carried out following the procedure prescribed by the provisions of paragraph (1):

Provided that, where the Principal Licensing Authority is of the opinion that, by reason of the nature of any conviction of the applicant or for other good cause,

the applicant is not a fit and proper person to hold a public service vehicle licence, he shall—

- (a) refuse the application;
- (b) inform the applicant in writing giving him the reasons for the refusal; and
- (c) notify the applicant that he may appeal against such refusal under the provisions of section 26 of the Act.  
(Amended by Legal Notice 164 of 1978; 49 of 1979.)

*Driving test*

20.—(1) Every person presenting himself for a driving test shall produce to the examining officer a current learner's permit in the appropriate form and shall, subject to the provisions of paragraph (3), provide for the purpose of the test a currently licensed motor vehicle, appropriate to the class or group named in the application form, in a good roadworthy condition.

(2) Any applicant who fails to attend at the date, time and place specified for the holding of the driving test or who fails to produce a current learner's permit to the examining officer shall be regarded as having failed the driving test unless the examining officer is satisfied that the applicant was prevented from attending by reasonable cause or is satisfied that the applicant is the holder of a current learner's permit, as the case may be, in which case the examining officer shall specify another date, time and place for the holding of the test.

(3) No left hand drive vehicle or an automatically operated gear change vehicle may be used for the purpose of a driving test.

(4) If the examining officer—

(a) is satisfied that, having regard to the requirements of the Act and these Regulations, the applicant is competent to drive the class of vehicles named in his application for a test, he shall return to him a copy of the test application form duly endorsed that the test has been passed in respect of the group or groups of vehicles referred to in the endorsement; or

(b) is not so satisfied, he shall endorse the test application form to the effect that the applicant has failed to pass the test,

and shall in either case return the test application form duly endorsed to the licensing authority.

(5) When a copy of the test application form has been returned to the applicant under the provisions of sub-paragraph (a) of paragraph (4), the applicant shall, on handing such copy to a licensing authority and on payment of the prescribed fee, be issued with a driving licence in the appropriate form authorizing him to drive vehicles of the group or groups referred to in the endorsement on the application form.

*Grouping of vehicles*

21.—(1) For the purposes of issuing driving licences, classes of vehicles listed in section 28 of the Act are hereby divided into groups as follows:—

Group 1—Motor cycles, with or without side-car.

Group 2—Private motor vehicles, very light goods vehicles, light goods vehicles and rental cars.

Group 3—Taxis, hire cars and vehicles in Group 2.

Group 4—Light public service vehicles and vehicles in Groups 2 and 3.

Group 5—Heavy public service vehicles, and vehicles in Groups 4 and 6.

Group 6—Heavy goods vehicles, heavy public service vehicles and light public service vehicles which are not at the time being used for the carriage of passengers for hire or reward, and vehicles in Group 2.

Group 7—Wheeled motor tractors of any weight.

Group 8—Invalid carriages.

Group 9—Vehicles not specified in Groups 1 to 8.

(2) Persons licensed to drive any vehicle shall be deemed licensed to drive all other vehicles in the same group:

Provided that a person issued with a licence to drive vehicles in Group 2 may also be deemed licensed to drive wheeled motor tractors not exceeding 3,050 kg net weight and a person issued with a licence to drive vehicles in Group 6 may be deemed licensed to drive wheeled motor tractors exceeding 3,050 kg net weight.

(Amended by Legal Notice 49 of 1979.)

(3) When the extension of any existing driving licence is required by the addition of another group or groups of vehicles, the licensing authority shall, on the endorsed copy of the driving test application form relating to such group or groups of vehicles being handed to him by the applicant, endorse the existing licence.

(Amended by Legal Notice 164 of 1978.)

*Nature of driving tests*

22. In the carrying out of driving tests, the person being tested shall satisfy the examining officer that he is competent in the following matters:—

(a) for Groups 1, 2, 6, 7, 8 and 9:—

(i) knowledge of traffic law;

(ii) knowledge of practical driving procedure;

(iii) knowledge of the principles of safe and efficient operation of motor vehicles;

(b) for Groups 3, 4 and 5:—

(i) the requirements specified in paragraph (a); and

(ii) reasonable knowledge of the area in which he will normally ply for hire in his vehicle (in the case of taxis) or of bus routes (in the case of omnibuses).

*Licences to drive public service vehicles*

23.—(1) A licence to drive a public service vehicle shall be granted only to a person who has held a licence in Group 2 or 6 for a period of 1 year or more.

(2) When the public service vehicle licence last held by a person has expired more than 1 year previously, the Principal Licensing Authority shall require such person to undergo a fresh driving test for the appropriate class. No fee shall be payable for such a test and, upon satisfactorily passing the test, such person shall have his driving licence accordingly endorsed:

Provided that 1 test only shall be a free test. On failure of this test and on undergoing subsequent tests the applicant shall pay the prescribed fee.

(Amended by Legal Notice 164 of 1978.)

*Public service vehicles drivers' badges*

24.—(1) Upon the issue to any person of a licence authorizing him to drive a public service vehicle, the licensing authority shall issue to the licensee a badge

bearing distinguishing letters and numbers. Such badge shall be worn by the licensee so that the letters and numbers are clearly visible at all times when he is on duty as the driver of a public service vehicle.

(2) Where the licensee is disqualified from holding a licence to drive a public service vehicle, or on the expiry of such licence, he shall forthwith surrender the badge to the licensing authority unless application has been made for the renewal of the licence, in which case, he may retain the badge pending a decision on the application. In the event of a disqualification being removed, the licensing authority, on production by the licensee of the driving licence endorsed in accordance with the provisions of section 30 of the Act, shall return the badge to the licensee.

(3) A badge shall not be issued in accordance with the provisions of this regulation unless and until the licensee shall have deposited the sum of 50 cents with the licensing authority. Except in the case of disqualification, such deposit shall be returned to the licensee, on surrender of the badge.

(4) Where a badge is surrendered to a licensing authority, the licensing authority shall cancel the public service vehicle driving licence of the person surrendering the badge and such licence shall cease to be valid.

(5) If a badge is lost, destroyed or defaced, the licensee shall forthwith notify the licensing authority who shall, provided that a statutory declaration be made in the case where a badge has been lost or destroyed, issue another badge subject to payment by the applicant of a fresh deposit of 50 cents and, when a badge has been defaced, the applicant shall return the badge to the licensing authority who shall forthwith destroy it.

(6) Where a badge which, having been lost and replaced in accordance with the provisions of paragraph (5), is recovered by the person to whom it was issued, it shall be returned to the licensing authority forthwith and the licensing authority shall, notwithstanding the provisions of paragraph (5), refund the deposit paid.

(7) If a licensee when lawfully required to do so fails to surrender a badge to the licensing authority, he shall be guilty of an offence.

(8) The person to whom a badge is issued shall at all times retain it in his possession until he is required to surrender it under the provisions of this regulation, and shall not cause or permit such badge to be worn or carried by any other person.

(9) If any person to whom a badge is issued under the provisions of this regulation—

(a) fails to wear or carry the badge in the manner required by paragraph (1) when engaged on the duties of a driver of a public service vehicle; or

(b) causes or permits the badge to be worn or carried by any other person, he shall be guilty of an offence.

(10) Any person who, when engaged on the duties of a driver of any vehicle, wears or displays any badge issued to any other person under the provisions of this regulation shall be guilty of an offence.

*Driving licences*

25.—(1) An application for a driving licence or a renewal of a driving licence shall be made on the appropriate form.

(2) A driving licence shall be in the appropriate form and shall contain a recent photograph 50 mm by 50 mm in size portraying a front view of the head and

shoulders of the licensee. (*Substituted by Legal Notice 164 of 1978, amended by Legal Notice 49 of 1979.*)

*Disabilities*

26.—(1) When a licensing authority has reason to believe that an applicant for a driving licence or the renewal of a driving licence is suffering from any of the diseases or disabilities specified in the First Schedule, he may require the applicant to make application in the appropriate form or produce a certificate from a medical officer to the effect that such disease or disability does not affect his fitness or ability to drive a motor vehicle or vehicles of the class or classes in respect of which the application is made.

(2) A driving test under the provisions of subsection (2) of section 26 of the Act shall, after payment of the prescribed fee, be conducted in accordance with the provisions of regulation 22.

*Driving licence issued under section 32 of the Act*

27.—(1) Where application is made for the issue of a new licence under the provisions of subsection (5) of section 32 of the Act, the licensing authority, upon payment to him of the same fee as is prescribed for the issue of a driving licence, shall issue a new licence without endorsement.

(2) Where a driving licence is required to be issued under the provisions of subsection (6) of section 32 of the Act in a case where a disqualification is partial, the licensing authority shall issue to the licensee a new licence giving details, on the inside of the front cover thereof, of the disqualification. No fee shall be payable in respect of a new licence issued under the provisions of this paragraph if the currency of the original licence has not expired.

*Temporary driving licences*

28. A licensing authority may, on payment to him of the prescribed fee, issue a temporary driving licence, other than a public service vehicle licence, in the appropriate form to any applicant who satisfies the licensing authority that he is competent to drive vehicles of the group or groups in respect of which application is made. The licensing authority may require such applicant to produce documentary evidence of such competency or may subject the applicant to a driving test in accordance with the provisions of these Regulations.

*Convention driving permits*

29. The Principal Licensing Authority may, on payment to him of the prescribed fee and upon being satisfied as to the competency of the applicant to drive vehicles of the class in respect of which application is made, whether by way of documentary evidence or of a driving test under the provisions of these Regulations, issue a convention driving permit to any applicant in accordance with the provision of section 27 of the Act in the appropriate form.

*Division 3—Certificate of Fitness*

*Certificate of fitness*

30.—(1) No public service vehicle, rental car or vehicle used for driving instruction in a driving school shall be used for the carriage of passengers or, in the case of a vehicle used for driving instruction in a driving school, shall be used for

giving driving tuition, unless there has been issued in respect of such vehicle a certificate of fitness in the appropriate form.

(2) An application for a certificate of fitness shall be made on the appropriate form and shall be accompanied by the prescribed fee.

(3) If the certifying officer is of the opinion, after inspection and testing of the vehicle, that it complies with the required conditions of fitness, he shall, upon payment of the prescribed fee, issue a certificate of fitness.

(4) Every certificate of fitness shall be in 2 parts, and the owner of the vehicle for which the certificate is issued shall keep affixed to the lower left-hand corner of the windscreen of that vehicle the detachable portion of the certificate showing the month and year of expiry facing forward, so that this is normally legible.

(5) If a certifying officer is of the opinion, after inspection and testing of any vehicle, whether a vehicle referred to in paragraph (1) or not, at any time, that it does not comply with the required conditions of fitness, he may, notwithstanding that there may be in existence in respect of the vehicle a certificate of fitness issued under paragraph (3), by notice in writing to the owner or the person in charge of or having control of the vehicle, direct that it shall not thereafter be left or driven upon or permitted to be left or driven upon any road except on such conditions as the certifying officer shall impose.

(6) The certifying officer may affix to the windscreen or elsewhere on the vehicle a label in the appropriate form specifying any notice given under paragraph (5). Any label so affixed shall not be removed, obliterated or in any way interfered with except by or on the instructions of the certifying officer or by an officer authorised by the Principal Licensing Authority.

#### *Division 4—Road Service Licences*

##### *Road service licences*

31.—(1) No omnibus shall operate as a stage carriage or as an express carriage except under a road service licence in the appropriate form.

(2) An application for a road service licence shall be made on the appropriate form and shall be accompanied by the prescribed fee.

(3) An application for the renewal, transfer or amendment of a road service licence shall be made on the appropriate form and shall be accompanied by the prescribed fee.

#### *Division 5—General*

##### *Duplicate certificates, licences, etc.*

32. Any authority or person having power to issue any certificate, permit or licence under the provisions of this Part shall, on proof to his satisfaction that such certificate, permit or licence has been lost or destroyed and on payment of the prescribed fee, issue a duplicate of such certificate, permit or licence to the person entitled thereto.

##### *Offences*

33. Any person contravening or wilfully failing to comply with any of the provisions of this Part shall be guilty of an offence and on conviction shall be liable to a fine not exceeding \$50 or to imprisonment for a term not exceeding 3 months.



## PART III—CONSTRUCTION, EQUIPMENT AND USE

## Division 1—Provisions Applying To All Motor Vehicles

## Subdivision A—Construction and Use

*Overall length*

34. Subject to the provisions of regulation 36, the overall length of a vehicle or combination of vehicles shall not exceed 10,100 mm:

Provided that the overall length of a trailer shall not exceed 25 feet except in the case of—

- (a) a trailer constructed and normally used for the conveyance of indivisible loads of exceptional length;
- (b) a trailer forming part of an articulated vehicle; or
- (c) any broken down vehicle which is being towed by a motor vehicle in consequence of a break down.

(Amended by Legal Notice 49 of 1979.)

*Overhang*

35. The rear overhang of a motor vehicle shall not exceed 60 per cent of the wheel base or 2,750 mm, whichever is the less or, in the case of a vehicle with 2 rear axles, 60 per cent of the wheel base or 2,895 mm, whichever is the less. The front overhang of a motor vehicle shall not exceed 40 per cent of the wheel base or 2,135 mm whichever is the less:

Provided that the provisions of this regulation shall in no way affect the maximum permitted overall length of a vehicle as provided in regulation 34.

(Amended by Legal Notice 49 of 1979.)

*Load overhang*

36.—(1) The overhang of any load carried on a vehicle shall not project beyond the overall length of the vehicle by more than 1,830 mm nor, subject to the provisions of paragraph (4), shall the combined overall length of a vehicle and its load exceed 10,100 mm. (Amended by Legal Notice 49 of 1979).

(2) Where any load projects more than 600 mm beyond the overall length of a vehicle whether towards the front or the rear, the extremity of such load shall be clearly indicated by a conspicuous red marker by day and by a clearly visible red light by night. (Amended by Legal Notice 49 of 1979).

(3) No load shall be carried on any vehicle unless the whole of such load is at all times clear of the road surface.

(4) Where it is required that a load be carried by a vehicle so that the combined overall length of the vehicle and load exceeds 33 feet, the Principal Licensing Authority may exempt such vehicle and/or load from the provisions of this regulation for such period and subject to such conditions as he may consider appropriate.

*Securing of load*

37. The load carried by any vehicle shall be so secured that danger is not likely to be caused to any other vehicle, person, animal or property.

*Overall width*

38. The overall width of a vehicle, laden or unladen, shall not exceed—

(a) 2,500 mm; or

(b) 3,000 mm inclusive of the load in the case of a vehicle transporting sugar-cane. (Amended by Legal Notice 73 of 1975; 49 of 1979.)

*Maximum height*

39. The maximum height of a motor vehicle, laden or unladen, measured from the surface of the road, shall not exceed 3,350 mm, and shall in no case be greater than twice the distance between the back wheels measured from the centres of the tyres or in the case of twin tyres from the centres of the outside tyres:

Provided that in the case of a double-deck omnibus the maximum permitted height shall be 4,400 mm. (*Amended by Legal Notice 73 of 1975; 49 of 1979.*)

*Maximum weight*

40.—(1) The maximum gross weight of any vehicle laden or unladen used on any road shall not exceed—

(a) 30,845 kg;

(b) on its most heavily loaded axle, 7,985 kg;

(c) on its most heavily loaded tandem axle group, that is to say a group whereof the 2 axles are not less than 1,020 mm nor more than 2,030 mm apart, 14,515 kg.

(*Amended by Legal Notice 49 of 1979.*)

(2) Except in the case of a motor cycle, not more than three quarters of the gross weight of any motor vehicle shall be transmitted to the road surface by any 2 wheels of the vehicle.

(3) No person shall cause to be used on a road any motor vehicle the combined weight of which, together with its load, exceeds the gross weight of the vehicle as recorded on the registration documents held by the Principal Licensing Authority.

*Vehicle body to be free of dangerous projections*

41. No vehicle shall be used on any road when any part of such vehicle or its load has jagged edges of torn or broken metal or unguarded sharp projections which constitute a danger to pedestrians or other road users.

*Right or left hand drive*

42.—(1) Every motor vehicle, unless specially exempted by the Principal Licensing Authority, shall be so constructed as to be steered from the right or off side.

(2) Every motor vehicle so constructed as to be steered from the left and exempted in accordance with the provisions of paragraph (1) shall have clearly displayed on the back the words "LEFT HAND DRIVE"; the letters shall be white on a black background and each letter shall be not less than one and 40 mm high, with a minimum stroke width of 10 mm. (*Amended by Legal Notice 49 of 1979.*)

(3) Every motor vehicle so constructed as to be steered from the left shall be equipped with direction indicators, either electrical or mechanical and shall be fitted at the rear with red lamps, 1 on each side, which light when the brakes are applied; such lamps shall be not less than 2 feet and no more than 4 feet from the road surface.

*Ventilation*

43. Any motor vehicle when used for the carriage of passengers shall be adequately ventilated to the satisfaction of a certifying officer.

*Maximum speed*

44. No person shall drive any motor vehicle at a greater speed than that prescribed for that class of vehicle as follows:—

	<i>Maximum speed</i>
(1) private motor vehicles, very light goods vehicles, light goods vehicles not exceeding 2,035 kg net weight, taxis, hire cars and rental cars—	
(a) when not drawing a trailer .....	80 km per hour
(b) when drawing a trailer—the gross weight of which does not exceed 2,035 kg .....	50 km per hour
(c) when drawing a trailer—the gross weight of which exceeds 2,035 kg .....	35 km per hour
(2) light goods vehicles over 2,035 kg net weight but not exceeding 3,050 kg net weight—	
(a) when not drawing a trailer .....	60 km per hour
(b) when drawing a trailer—the gross weight of which does not exceed 2,035 kg .....	50 km per hour
(c) when drawing a trailer—the gross weight of which exceeds 2,035 kg .....	35 km per hour
(3) goods vehicle over 3,050 kg net weight—	
(a) when not drawing a trailer .....	60 km per hour
(b) when drawing a trailer which does not exceed 1,525 kg gross weight .....	40 km per hour
(c) when drawing a trailer which does exceed 1,525 kg gross weight .....	35 km per hour
(d) when drawing more than one trailer .....	25 km per hour
(4) light public service vehicles and heavy public service vehicles .....	60 km per hour:

Provided that no person shall cause a motor vehicle to travel at any speed greater than that prescribed in certain restricted areas by the Central Traffic Authority. (*Amended by Legal Notice 169 of 1976; 49 of 1979; 49 of 1980.*)

*Maximum speed signs*

45. Every vehicle whose maximum speed is restricted under the provisions of regulation 44 shall display at the rear of such vehicle a sign indicating the maximum permissible speed appropriate to such vehicle, such sign being of such a nature as to be visible from a distance of 9,150 mm:

Provided that this regulation shall not apply to vehicles specified in regulation 44 (1) (a). (*Amended by Legal Notice 49 of 1979.*)

*Reversibility*

46. Every motor vehicle the net weight of which exceeds 410 kg shall be capable of travelling under its own power both backwards and forwards. (*Amended by Legal Notice 49 of 1979.*)

*Reversing*

47. No person shall cause a motor vehicle to travel backwards for a greater distance or time than may be necessary for the safety or reasonable convenience of the occupants of that vehicle or of other traffic on the road:

Provided that the provisions of this regulation shall not apply to a road roller or other road plant while actually engaged in the construction, maintenance or repair of a road.

*Towed vehicles*

48.—(1) Where a motor vehicle is towing a vehicle or a trailer, the distance between the motor vehicle and the vehicle or trailer being towed shall not exceed 4,575 mm and the presence of such device shall be made easily distinguishable by attaching some form of red coloured marker to the centre of the device by day, and a red light at night so as to be easily visible to other users of the road. (*Amended by Legal Notice 49 of 1979; 49 of 1980.*)

(2) No vehicle shall tow more than 2 trailers or 1 other vehicle on any road at any time.

(3) A "combination of vehicles" may be composed of a drawing vehicle and 1 or 2 trailers. An articulated vehicle may draw a trailer, but if such articulated vehicle is used for carriage of passengers, the trailer shall have not more than 1 axle and shall not carry passengers.

*Emission of smoke or fumes*

49.—(1) No person may use or cause or permit to be used on a road any motor vehicle—

(a) from which any smoke, visible vapour, grit, sparks, ashes, cinders or oily substance is emitted if that emission causes or is likely to cause damage to any property or danger, injury, nuisance or annoyance to any person; or

(b) with the outlet of the exhaust of such motor vehicle so affixed as to project the exhaust directly on to the road.

(2) Any person contravening or wilfully failing to comply with any of the provisions of this regulation shall be guilty of an offence and on conviction shall be liable to a fine not exceeding \$100 or to imprisonment for a term not exceeding 3 months.

*Emission of sparks*

50. Every motor vehicle using solid fuel shall be fitted with an efficient appliance for the purpose of preventing the emission of sparks or grit and also with a tray or shield to prevent ashes and cinders from falling on to the road.

*Interfering with vehicle*

51. No person shall without lawful authority or reasonable cause interfere with the brakes or other mechanism of a vehicle.

*Position of driver*

52. Every person while driving a motor vehicle shall be in such a position that he can have proper control over the vehicle and retain an adequate view of the road and traffic ahead.

*Passengers on motor cycles*

53. Not more than 1 person in addition to the driver shall be carried on any 2 wheeled motor cycle and such person shall be carried sitting astride and on a proper seat securely fixed to the cycle behind the driver's seat.

*Safety helmets*

54. No person shall drive a motor cycle on any road unless the driver and any passenger other than passengers in a side car is wearing a safety helmet of a type

approved by the Principal Licensing Authority and unless such helmet is securely fastened to the head by the device provided.

*Carriage of passengers on goods vehicles and trailers*

55.—(1) Except with the prior written authorization of a licensing authority, no person shall cause or permit a greater number of passengers to be carried on a goods vehicle or a motor tractor than the number which the vehicle is authorized to carry under the terms of its licence, nor cause or permit the carriage of passengers on a trailer. Such authorization shall be in the appropriate form.

(2) For the purpose of this regulation, a licensing authority may, in his discretion, grant such authorization, subject to such conditions as may be deemed necessary, for the following purposes:—

(a) on a goods vehicle—

- (i) for the purpose of carrying persons to and from their work and from job to job as may be necessary;
- (ii) for the purpose of carrying labourers to load or unload the vehicle;
- (iii) for the purpose of carrying persons transporting produce to a market for distribution;
- (iv) for the purpose of carrying parties of persons to attend and return from funerals and social occasions when public transport is not readily available;
- (v) for the purpose of carrying persons to and from rural areas not served by public transport, or to and from a point on a bus route.

(b) on a trailer—for the purpose of carrying labourers when engaged on agricultural work from one area to another when it may be necessary to travel on roads for short distances;

(c) on a motor tractor—for the purpose of carrying 1 person in addition to the driver when such tractor is engaged on agricultural work and it becomes necessary for it to travel on a road. (*Amended by Legal Notice 216 of 1974.*)

(3) A licensing authority may in his discretion grant authorization, either in respect of a particular journey or in respect of any journey performed by a particular goods vehicle or trailer during any period not exceeding 12 months:

Provided that—

- (a) the owner or driver of the vehicle or trailer shall, prior to the issue of such authorization by the licensing authority, obtain from a certifying officer, or a person authorized by the Principal Licensing Authority in that behalf, and produce to the licensing authority, a certificate of roadworthiness stating that the vehicle or trailer is suitable for the carriage of passengers; and
- (b) the applicant for such authorization to carry passengers on a goods vehicle or trailer shall pay the prescribed fee; and
- (c) there is in force in respect of such vehicle or trailer a policy of insurance against third party risks, issued in accordance with the Motor Vehicles (Third Party Insurance) Act; (*Cap. 177.*)
- (d) notwithstanding the foregoing provisions of this regulation no fee shall be payable in respect of a motor vehicle which is exempted from the payment of licence fees under the provisions of the Act;

(e) no passengers shall be carried on a road in a trailer constructed or intended for living in or for use as an office.

(4) Every goods vehicle permitted to carry excess passengers under the provisions of this regulation shall be fitted with sufficient seats securely attached to the body of the vehicle.

*Travelling in insecure position*

56.—(1) No person shall ride or permit any person to ride in any insecure position on a motor vehicle while the vehicle is on a road.

(2) The driver of a motor vehicle, other than a motor cycle, upon a road, or other person travelling in or upon such vehicle shall not permit any part of his body or limbs—

(a) to be upon or in contact with any external step or footboard or on the roof or bonnet of the vehicle;

(b) to extend or protrude beyond or through any external door, window or other opening of the vehicle:

Provided that this regulation shall not operate to prevent a driver from giving any signal, nor any person from entering, or alighting from, the vehicle.

(3) Any seat in a motor vehicle which is not protected from the road by a door or by the body-work at a height of not less than 155 mm above the level of the seat shall be fitted with a safety device of a design approved by the Principal Licensing Authority:

Provided that the provisions of this paragraph shall not apply to motor tractors, motor cycles, and all forms of road construction equipment; nor to persons riding, in the course of their employment, in or upon vehicles used by a fire brigade for attendance at fires or in or upon vehicles used for the purpose of refuse collection and disposal or in or upon vehicles constructed with observation hatches or working platforms. (*Amended by Legal Notice 49 of 1979.*)

(4) There shall be displayed on the vehicle in a position clearly visible to any passenger occupying a seat of the type described in paragraph (3), a notice requiring the passenger to use the safety device whenever the vehicle is in motion on a road.

*Seat belts*

57.—(1) No person shall operate a motor car or a station wagon or a goods service vehicle (not exceeding 2,035 kg net weight) unless it is fitted with a seat belt of an approved type for the use of the driver and, in the case of a vehicle providing seating accommodation for 1 or more passengers alongside the driver, at least 1 other seat belt of an approved type for the use of a passenger seated in the same line transversely as the driver.

(2) For the purpose of this regulation a seat belt of a type approved by the Principal Licensing Authority shall be deemed to be a seat belt of an approved type.

(3) The provisions of this regulation shall not apply to any vehicle first registered before 1 January 1974.

(4) With effect from 1 June 1975, it shall be an offence—

(a) for any person to drive or otherwise to operate on any road any vehicle to which this regulation applies without using the seat belt fitted to such vehicle for the use of the driver; and

(b) for any passenger in any vehicle to which this regulation applies whilst such vehicle is being driven or otherwise operated on any road to sit in or to use any seat to or in respect of which a seat belt is fitted for the passenger seated in such seat without his using such seat belt. For the avoidance of doubt, it is hereby declared that a seat belt shall not be deemed to be used for the purpose of this paragraph unless it is both functioning properly and is attached around the driver or the passenger, as the case may be, so as to secure him firmly to the seat he is using. (*Inserted by Legal Notice 43 of 1975.*)

(5) Offences under the provisions of paragraph (4) shall be absolute offences. (*Inserted by Legal Notice 43 of 1975.*)

#### Subdivision B—Equipment

##### Headlamps

58.—(1) Every motor vehicle, other than a motor cycle shall have fitted at the front of the vehicle 2 headlamps, or 4 headlamps in sets of 2, showing a white light or lights of such other colour as may be approved by the Principal Licensing Authority to the front of the vehicle, having their centres equidistant from the centre line of the vehicle but not less than 610 mm apart, at equal height from the ground and of approximately equal candlepower. Such headlamps shall be capable of projecting beams of light, at night, of sufficient power to illuminate the road clearly for 45 m ahead:

Provided that, where the light from any artificial source other than the lamps of the vehicle is sufficient clearly to illuminate the road for 45 m ahead, it shall not be necessary to use the headlamps of a motor vehicle when in motion if the side and rear lamps of such vehicle are alight. (*Amended by Legal Notice 49 of 1979.*)

(2) Every motor cycle shall have fitted at the front 1 headlamp showing a white light or lights of such other colour as may be approved by the Principal Licensing Authority to the front of the motor cycle capable of projecting a beam of light of sufficient power to illuminate the road at night clearly for 45 m ahead of such motor cycle, and, if a side-car is attached to the motor cycle, there shall also be fitted on the front nearside of the side-car an additional white light of sufficient intensity to be visible for a reasonable distance. (*Amended by Legal Notice 49 of 1979.*)

(3) All headlamps required by the provisions of this regulation shall be not more than 1,220 mm from the ground and shall be focused and adjusted in such a way that, under all conditions of use, the main beam of light from each lamp shall not be a greater height than the horizontal plane and shall not deflect to the right. (*Amended by Legal Notice 49 of 1979.*)

(4) All lamps showing a light to the front of a motor vehicle, other than a lamp fitted with a bulb of a power not exceeding 7 watts, shall be equipped with a means of eliminating any dazzling effect produced by such lamps but so that such elimination shall in every case leave sufficient light to illuminate the road clearly for at least 25 m. (*Amended by Legal Notice 49 of 1979.*)

(5) The elimination of dazzle referred to in paragraph (4) shall be effected by the driver of a motor vehicle—

- (a) on sighting a vehicle approaching from the opposite direction;
- (b) when such elimination is necessary in the interests of safety; and
- (c) in any case as soon as a vehicle approaching from the opposite direction effects such elimination.

*Side lamps*

59.—(1) In addition to the lamps referred to in regulation 58, every motor vehicle, other than a motor cycle, when in motion on a road by night without its headlamps alight, shall have fitted 2 side lamps each showing to the front of the vehicle a white or amber light visible from a reasonable distance.

(2) Side lamps may form a part of the headlamps but in any case shall be fitted to the front and towards each side of the vehicle and shall show a white or amber light. (*Amended by Legal Notice 181 of 1980.*)

*Limitation on lights on stationary vehicle*

60. No electric bulb or lighting unit of a power exceeding 7 watts in any lamp fitted on any vehicle showing to the front shall be kept alight while the vehicle is stationary on a road:

Provided that this paragraph shall not apply—

(a) to lamps used—

- (i) for the interior illumination of any vehicle;
- (ii) on breakdown vehicles and tower wagons when in use for the special purposes for which they are intended; or

(b) to search lights or any other special lights fitted to any vehicle used for naval, military, air force, police, fire brigade or ambulance purposes.

*Rear lights*

61.—(1) Every motor vehicle (other than a motor cycle) and every trailer, when in use on a road at night, shall have fitted 2 lamps showing red lights to the rear, and both such lamps shall be so maintained as to be visible to other traffic approaching from the rear. These lamps shall be fitted 1 on each side of, and not more than 305 mm from, the extreme outside edges of the vehicle and not more than 1,370 mm above ground level. The covers of such lamps shall be kept clear and unobscured at all times. (*Amended by Legal Notice 129 of 1978; 49 of 1979.*)

(2) Every motor cycle, when in use on a road at night, shall have fitted 1 lamp showing a red light to the rear. Such lamp shall be centrally mounted not more than 1,220 mm from, or closer than 305 mm to, ground level and shall be so maintained that the red light therefrom is clearly visible from the rear. (*Amended by Legal Notice 49 of 1979.*)

*Brake lights*

62.—(1) All motor vehicles shall display 2 brake lights to the rear 1 on either side except in the case of motor tractors and motor cycles which shall display 1 brake light only.

(2) The brake lights shall have red lenses and shall be automatically illuminated upon application of the footbrake and extinguished upon release of the foot brake.

(3) Any trailer, when being towed on a road, shall be so equipped that it displays equivalent rear warning lights and brake lights identical to the vehicle by which it is towed.

*Lights on stationary vehicles*

63.—(1) Every vehicle, when stationary at night on any road, other than as provided in paragraph (2), shall have alight 2 side lamps and 2 rear lamps; except in the case of a motor cycle which shall have alight 1 front lamp and 1 rear lamp.

(2) Except as provided in paragraph (3) of regulation 65, no lights, including the lights prescribed by paragraph (1) and by regulations 58, 59, 60, 61 and 66, need be displayed while the motor vehicle is stationary on the roadway, so long as the



vehicle is lighted from some artificial source so that its position on the roadway is clearly visible at a distance of 45 m. (*Amended by Legal Notice 49 of 1979.*)

(3) Where any vehicle is disabled electrically on a road by night, provided appropriate care is taken, it may be moved to the nearest safe place where it may be parked, notwithstanding the provisions of regulations 59, 60, 61, 62, 63, 66, 67 and 70.

(4) Notwithstanding the provisions of paragraph (2), no vehicle shall remain stationary on a road at night, without having such lamps illuminated as required by these Regulations unless, to the back of such vehicle either—

(a) 2 red reflectors each with an unbroken surface of not less than 1,935 mm<sup>2</sup> in area; or

(b) 2 pieces of red luminous reflective material each not less than 105 mm long and 20 mm wide,

are fitted so that 1 reflector is within 305 mm of the nearside and the other within 305 mm of the offside of the vehicle and each at a height not exceeding 1,830 mm nor less than 380 mm from ground level. (*Amended by Legal Notice 49 of 1979.*)

*Lights on vehicles*

64. Every motor vehicle shall at all times be equipped with such lighting equipment and reflectors as to render such vehicle capable of being driven on a road during the hours of darkness without contravening any of the provisions of regulations 58, 59, 60, 61, 62, 63, 65 or 67.

*Reflectors and extra lights on commercial, etc. vehicles*

65.—(1) In addition to the lamps required to be fitted on any vehicle under the provisions of these Regulations, there shall be fitted on—

(a) any goods vehicle exceeding 1,525 kg net weight;

(b) any omnibus; and

(c) any trailer,

on a road by night, 2 red reflectors on the back thereof and fixed so that 1 reflector is within 305 mm of the near side and the other is within 305 mm of the offside of the vehicle and each at a height not exceeding 1,830 mm nor less than 380 mm from ground level.

(2) Every reflector required by the provisions of paragraph (1) shall have an unbroken reflecting surface of not less than 1,935 mm<sup>2</sup>.

(3) Notwithstanding anything in this regulation or in paragraph (2) of regulation 63, every goods vehicle (being a heavy goods vehicle, or being a vehicle fitted with a flat deck or tray for the carriage of goods and whether or not it is equipped with side boards and tailboards) shall, at all times while on a roadway and whether stationary or not, display during the hours of darkness a red light visible at a distance of 95 m to the rear in normal atmospheric conditions. This red light shall be fitted within 305 mm of the extreme rear end of the vehicle and within 305 mm of the extremity of the right side of the vehicle:

Provided that where the load of a vehicle extends a greater distance than 610 mm behind the vehicle, the light shall be displayed at the extreme rear end of the load and as far as practicable to the right side of the load. (*Amended by Legal Notice 49 of 1979.*)

*Extra lights required for over dimension loads, vehicles or trailer*

66. In addition to the lamps required to be fitted to a goods vehicle and trailer under the provisions of these Regulations, if such a goods vehicle and trailer

exceeds 2,500 mm in width or exceeds 10,100 mm in length or is carrying on a road by night a load, the width of which exceeds 2,500 mm or the length of which exceeds 10,100 mm, there shall be carried and kept alight, whether the vehicle is moving or stationary—

- (a) 2 lamps each showing a white light visible for a distance of 275 m ahead of the vehicle and positioned 1 on each side of the vehicle not nearer to the centre of the vehicle than the outside extremity of the vehicle or of the load whichever is the wider, and affixed either to the cab or to the body of the vehicle on extension arms and at the height of the lower windscreen level; and
- (b) 2 lamps each showing a red light visible for a distance of 275 m to the rear of the vehicle, positioned and affixed to the vehicle or the load, whichever is the longer, and as provided in paragraph (a); and
- (c) at least 1 side marker lamp on each side showing a white or amber light to the front and a red light to the rear, spaced approximately evenly between the front and rear of the vehicle or its load whichever is the longer. Such side lamps shall be of a power not exceeding 7 watts and shall be capable of showing a light visible in darkness at a distance of 95 m in normal atmospheric conditions.

(Amended by Legal Notice 49 of 1979.)

*Marker lights*

66A. In addition to the lights required to be fitted to a vehicle under the provisions of these Regulations, there may be fitted—

- (a) on any goods vehicle, including an articulated vehicle, the net weight of which exceeds 3,048 kg, 3 green coloured marker lights at the front above the windscreen;
- (b) on any heavy public service vehicle, 3 but not more than 5 amber coloured marker lights at the front above the windscreen on each side of the longitudinal centre line of the vehicle. Each such marker light shall have a lens of not less than 645 mm<sup>2</sup> effective area, directed longitudinally forward and fitted as high as conveniently possible near the front of the body of the vehicle and as far apart transversely as is structurally convenient but in no case closer than 1,016 mm from centre to centre.

(Inserted by Legal Notice 49 of 1980.)

*Number plate lights*

67. Every vehicle when in motion on a road by night shall have the rear registration number plate illuminated so as to be clearly visible from the rear.

*Direction indicators*

68.—(1) When a motor vehicle is equipped with direction indicators, such indicators shall be of 1 of the following types:—

- (a) a movable arm capable of protruding beyond each side of the vehicle, so as to be visible from behind the vehicle to a driver of a following vehicle and to be illuminated by a steady orange/amber light when the arm is in the horizontal position;
- (b) flashing lights placed at each side of the front and rear of the vehicle; the colour of such lights shall be white or orange/amber to the front, and red or orange/amber to the rear;

- (c) any other type of indicator approved by the Principal Licensing Authority.
- (2) No direction indicator shall be used for any purpose other than to indicate that a vehicle is about to turn right or left or as a warning device as prescribed in regulation 72.
- (3) Every omnibus shall be equipped with direction indicators.
- (4) All direction indicators fitted in accordance with this regulation shall be maintained in good and efficient working order. (*Inserted by Legal Notice 49 of 1980.*)

*Reversing lights*

69. When a motor vehicle is equipped with reversing lights or a reversing light, the colour of such lights shall be white or orange/amber. Such lights shall be used only when the vehicle is reversing or is about to reverse.

*Spot lights, fog lights and swivelling lights*

70. No spot light, fog light or swivelling light shall be used on any vehicle:
- (a) in place of head lamps save to complete a journey on which the head lamps have been damaged or, by reason of a fault, are not working; or
- (b) in such a manner as to impede the vision of or cause annoyance to any user of the road.

*Flashing lights*

- 71.—(1) No flashing roof lights shall be used on any vehicle except on vehicles operated by the Royal Fiji Police Force, the Medical, Road Transport or Civil Aviation Departments of the Government, any fire or ambulance service and any other *bona fide* recovery vehicle.
- (2) No vehicle shall use flashing lights other than—
- (a) roof lights under the provisions of paragraph (1); or
- (b) direction indicators under the provisions of regulation 68; or
- (c) warning devices under the provisions of regulation 72.

*Warning for disabled vehicles*

- 72.—(1) Notwithstanding anything to the contrary in these Regulations, a motor vehicle which is fitted with a directional signalling device approved in terms of regulation 68 (b) and consisting of 4 flashing lights, 2 of which are located at the front of the vehicle and 2 at the rear of the vehicle, may be fitted with a switch for the purpose of causing all 4 of those lights to flash simultaneously, in order to indicate that the vehicle has met with a mishap.
- (2) The driver of any such motor vehicle may operate all 4 of those lights simultaneously only when the vehicle is immobilised by mishap.

*Permitted additional lamps*

73. In addition to the lamps required by the provisions of these Regulations, all or any of the following lights and others, may, subject to the other provisions of these Regulations, be fitted to a motor vehicle:—
- (a) direction indicators;
- (b) reversing lights;
- (c) fog lights;
- (d) spot lights;

- (e) swivelling lights;
- (f) flashing roof lights;
- (g) such other lights as may be approved by the Authority.

*Wheels and tyres*

74.—(1) No motor vehicle (other than a track laying vehicle, a road roller or a hovercraft) shall be driven on any road unless it is fitted with wheels and pneumatic tyres:

Provided that wheels fitted with other types of tyres may be approved in writing by the Principal Licensing Authority.

(2) The tyres of any vehicle on a road shall be of the minimum size specified in the Second Schedule appropriate to the particular type of vehicle and capable of safely carrying the proportionate weight of the vehicle and its load and without undue damage to the road surface, the gross weight of the vehicle.

(3) No person shall on any road use on any motor vehicle a pneumatic tyre having a tread pattern (excluding any tie-bar or tread-depth indicator strip) of less than 1.5 mm depth across at least three quarters of the breadth of the tread and around the entire circumference of the tyre. (*Substituted by Legal Notice 181 of 1980.*)

(4) No person shall on any road use on any motor vehicle, or sell for such use, a pneumatic tyre which has had its designed tread-depth increased by the process of regrooving subsequent to manufacture. (*Substituted by Legal Notice 181 of 1980.*)

(5) No motor vehicle on any road shall have tyres fitted with any gripping device of a type likely cause undue damage to the surface of any road.

(6) No track-laying vehicle shall be used on any road, except when such vehicle is actually engaged on the construction or repair of the road, unless a device is used to prevent any damage being caused to the surface of the road.

*Springs, shock absorbers and steering*

75.—(1) Every motor vehicle shall be equipped with suitable and sufficient springs and shock absorbers between each wheel and axle and the frame of the vehicle:

Provided that this regulation shall not apply to—

- (a) any motor tractor equipped with pneumatic tyres;
- (b) agricultural implements;
- (c) motor cycles;
- (d) trailers;
- (e) towed earth moving equipment;
- (f) road rollers;
- (g) any pedestrian controlled vehicles the wheels of which are equipped with pneumatic tyres;
- (h) invalid carriages;
- (i) any other vehicle designed to operate without shock absorbers and exempted in writing by the Principal Licensing Authority.

(2) Every part of every steering assembly on a vehicle and of the means of operation thereof shall at all times while the vehicle is used on a road be maintained in good and efficient order and working condition and shall be properly adjusted:

Provided that any springs, shock absorbers, hangers, torsion bars or other attachments, including the mounting points, shall be deemed to be part of the steering assembly in so much as any defect in or on these points will affect the steering assembly and its efficiency.

*Mudguards*

76.—(1) Every goods vehicle and heavy public service vehicle shall be equipped with mudguards or mudflaps for all the wheels on the rear axle, and each mudguard—

- (a) shall be so constructed that it will, as far as practicable, catch or deflect downward any stones, mud, water, or other substance, thrown upward by the rotation of the wheels; and
- (b) shall be so affixed that, at all times while the vehicle is standing on a horizontal surface, the height above the surface on which the vehicle stands of the lowest edge of the mudguard or any flexible flap attached thereto is not more than one quarter of the horizontal distance between the lowest edge of the mudguard or flexible flap and a vertical plane passing through the centre of the wheels on the rear axle.

(2) No person shall operate any motor vehicle (not being a goods vehicle or heavy public service vehicle to which paragraph (1) applies), unless it is equipped with a mudguard or mudflap for each wheel on the rear axle of the vehicle, each mudguard or mudflap being so constructed that it will so far as is practicable catch or deflect downwards any stones, mud, water or other substance thrown up by the rotation of the wheel or wheels for which the mudguard or mudflap is provided.

(3) The provisions of this regulation shall not apply to—

- (a) any pole type trailer;
- (b) any vehicle exclusively or principally designed for the carriage of logs;
- (c) any straddle truck, forklift truck or other vehicle the body of which is such that it is unnecessary or impracticable to provide a mudguard or mudguards;
- (d) any unladen vehicle in an unfinished condition or which is being driven to any place for the purpose of having the bodywork fitted, repaired or replaced.

*Brakes*

77.—(1) In this regulation, unless the context otherwise requires—

- (a) "parking brake" means a brake readily applicable by use generally of the driver's hand and capable of remaining applied for an indefinite period without further attention than the initial application;
- (b) "service brake" means a brake for intermittent use readily applicable by use generally of the driver's foot.

(2) (a) Every motor vehicle shall be equipped with an efficient braking system or efficient braking systems in either case having 2 means of operation so designed and constructed that, notwithstanding the failure of any part (other than a fixed member or a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted, there shall still be available for application by the driver to not less than half the number of the wheels of the vehicle brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance:

Provided that—

- (i) in the event of such failure as aforesaid, it shall not be necessary for brakes to be available for application by the driver—

- (a) in the case of a motor car registered before 1 October 1938, to more than 2 wheels; or

- (b) in the case of a vehicle having less than 4 wheels, to more than 1 wheel; and
    - (ii) this paragraph shall not apply to a vehicle constructed with 1 braking system with 1 means of operation, approved by the Principal Licensing Authority;
  - (b) the application of 1 means of operation shall not affect or operate the pedal or hand lever of the other means or operation;
  - (c) in the case of vehicles registered on or after 1 April 1938, no braking system shall be rendered ineffective by the non-rotation of the engine; and
  - (d) all the brakes of a motor car which are operated by 1 of the means of operation shall be capable of being applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device.
- (3) Every brake which simultaneously applies the braking pressure on 2 wheels or drums with a common axle shall be so adjusted or fitted that the braking effect is approximately the same on each road wheel.
- (4) No person shall operate a motor vehicle on a road unless every brake with which it is equipped shall be capable of stopping the vehicle within a reasonable distance under the conditions prevailing at the time of its application.
- (5) Without limiting the generality of paragraph (4), the brakes on any motor vehicle shall, on a hard, dry, level roadway free of loose materials, and without assistance from the compression of the engine, comply with the following provisions:—
- (a) the service brake of a motor vehicle, other than an omnibus, shall be such that the motor vehicle or where there is a trailer or other vehicle attached to it, the motor vehicle and such trailer or other vehicle can at all times, when fully loaded—
    - (i) when travelling at a speed of 35 km an hour, be stopped by 1 sustained application of the brake within the distance specified in column (2) of the Table at the end of this paragraph in respect of the relevant class of vehicle or vehicles referred to in column (1) of that Table; and
    - (ii) when travelling at any higher speed, be decelerated to a stop by 1 sustained application of the brake at the average deceleration rate specified in column (3) of that Table and applicable to such class of vehicle or vehicles;
  - (b) the service brake of a motor omnibus shall be such that the vehicle when unladen and travelling at a speed of 35 km an hour can, at all times, be stopped by one sustained application of the brake within a distance of 12,200 mm and, when travelling at any higher speed, can be decelerated to a stop at an average rate of not less than 3,200 mm per second per second;
  - (c) the parking brake affixed to any vehicle shall be capable of holding the vehicle and any trailer or semi-trailer attached thereto, stationary on a gradient not steeper than 1 in 4.

Class of Vehicle	TABLE Millimetres to stop when brake applied at 35 km an hour	Average deceler- ation in mm per second per second
(1)	(2)	(3)
Car..... Car and trailer combination Motor cycle (front and rear brakes together) Lorry having aggregate weight less than 2,540 kg. Lorry and trailer combina- tion having combined aggregate weight less than 2,540 kg. Lorry having aggregate weight 2,540 kg. or more Lorry and trailer combination having aggre- gate weight 2,540 kg. or more Vehicle not equipped with brakes on all wheels when manu- factured.....	9,150 mm	4,265 mm
	13,715 mm	2,895 mm

(6) Every trailer, and every semi-trailer in an articulated vehicle, shall be equipped with a braking device capable of automatically stopping the trailer if it becomes uncoupled whilst in motion:

Provided that—

- (a) in the case of a trailer having a permissible gross weight exceeding 3,495 kg and of semi-trailer having a permissible gross weight exceeding 750 kg, the braking device shall be operated from the towing vehicle; and
- (b) in the case of a trailer the permissible gross weight of which does not exceed 1,020 kg or half the unladen weight of the towing vehicle, whichever is the less, and any agricultural trailer the permissible gross weight of which does not exceed 5,445 kg and which is towed by a slow-moving tractor at a speed not exceeding 25 km per hour, may, instead of being fitted with a device capable automatically of stopping the trailer if it becomes detached whilst in motion, be equipped in addition to the main towing attachment with a secondary attachment in the form of a chain or wire rope of adequate strength.

(Amended by Legal Notice 49 of 1979.)

(7) No person shall operate a motor vehicle propelled by steam power or fitted with self-laying tracks unless it is equipped with a brake or brakes adequate to control its movement and to stop and hold the vehicle under all conditions of use.

(8) Each part of every braking system and the means of operation of such parts shall be properly adjusted at all times and shall be maintained in good and efficient working order. (Substituted by Legal Notice 49 of 1980.)

*View to front*

78.—(1) Every motor vehicle shall be so designed and constructed that the driver thereof while controlling the vehicle can have an adequate view of the road and traffic ahead.

(2) No person shall use or permit to be used on a road any motor vehicle containing any article hanging or otherwise fitted or placed in the vehicle which may adversely affect the vision through the windscreen of the driver.

*Glass of windscreen, etc.*

79.—(1) All glass fitted to motor vehicles shall be maintained in such a condition that the vision of the driver is not obscured while the vehicle is being driven on a road.

(2) The glass used in the windscreen of any motor vehicle shall be of safety glass.

(3) All other glass used on a motor vehicle shall be of safety glass or of a type of glass treated so that, in the event of an accident, the glass will not break into large pieces capable of cutting or causing injury to the driver or passengers.

*Protective screen on windscreen*

80. Without prejudice to the provisions of regulations 78 and 79, a screen of a design approved by the Principal Licensing Authority may be used to protect the windscreen of a motor vehicle, subject to the following conditions:—

- (a) the registered owner shall first satisfy the Principal Licensing Authority that there exists a genuine special security and/or safety need for the vehicle to be fitted with a screen;
- (b) such approval, if granted, shall be for specified period not exceeding 3 years, upon the expiry of which the registered owner shall be required to apply to the Principal Licensing Authority for renewal of the approval for a further period;
- (c) the Principal Licensing Authority may, in granting any approval, attach thereto such conditions and restrictions as he considers necessary to regulate the use of the vehicle when the protective screen is in position; and
- (d) every approval shall specify the vehicle in respect of which it has been granted and shall bear the name of the registered owner of the vehicle and if at any time during the currency of the approval the person named therein ceases to be the registered owner of the vehicle specified, the approval shall automatically lapse:

Provided that none of the provisions of paragraphs (a) to (d), inclusive, shall apply to any vehicle used by the Royal Fiji Police in the course of duty.

*(Inserted by Legal Notice 86 of 1975.)*

*Windscreen wiper*

81.—(1) Every motor vehicle, other than a motor cycle, when fitted with a windscreen shall be equipped with an efficient mechanically operated windscreen wiper to prevent interference by weather conditions with the vision of the driver.

(2) Every part of every windscreen wiper on a vehicle and of the means of operation thereof shall at all times while the vehicle is used on a road be maintained in good and efficient order and shall be properly adjusted so that in operation it efficiently carries out its purpose.

*Driving mirror*

82. There shall be affixed to every motor vehicle a mirror or mirrors so designed and fitted as to enable the driver of such vehicle, whilst retaining his



normal driving position, to obtain a clear reflected view of any overtaking vehicle. Such mirror or mirrors shall be affixed to the outside of the vehicle—

- (a) if the vehicle is constructed for the carriage of goods;
- (b) if the vehicle is a public service vehicle;
- (c) if, because of the manner in which the vehicle is constructed, equipped or hooded or because of the fact that it is towing a trailer or other vehicle, or, if for any other reason, the driver of such vehicle cannot by means of a mirror affixed to the inside of the vehicle obtain a clear reflected view of any overtaking vehicle.

*Speedometer*

**83.** Every motor vehicle shall be fitted with a speedometer visible to the driver at all times whether by day or by night, for the purpose of recording the speed in kilometres per hour of such vehicle with reasonable accuracy, and such speedometer shall be maintained in good and efficient working order:

Provided that the provisions of this regulation shall not apply to any tractor, heavy earth moving machine or other vehicle which, by reason of its construction, is incapable of exceeding 35 km per hour under its own power on level ground. (Amended by Legal Notice 60 of 1977; 49 of 1979; 49 of 1980.)

*Warning instruments*

**84.—(1)** Every motor vehicle shall be fitted with an instrument capable of giving sufficient audible warning of its approach or position:

Provided that such instrument shall not consist of a gong, bell or siren, except in the case of a vehicle being used for ambulance, fire brigade or police purposes.

(2) No person shall use or permit to be used any warning instrument fitted to any motor vehicle on any road except when necessary to prevent risk of accident or of any danger to any person or property.

(3) Every driver of a motor vehicle who has reasonable cause to believe that he is being signalled by means of a gong, bell or siren as described in the proviso to paragraph (1) to stop or make way, shall do so as soon as may be possible with safety.

*Silencers*

**85.** Every motor vehicle propelled by an internal combustion engine shall be so constructed that the exhaust gases from the engine cannot escape into the atmosphere without first passing through a silencer, an expansion chamber or other similar contrivance suitable and sufficient for reducing as far as may be reasonable the noise which would otherwise be caused by the escape of gas.

*Markings on vehicles*

**86.—(1)** Every goods vehicle or heavy public service vehicle shall be clearly marked on the right or offside of the vehicle in a conspicuous position to show—

- (a) the net weight of the vehicle;
- (b) the maximum gross weight of the vehicle; and
- (c) the name and address of the owner of the vehicle.

(2) All such markings shall be painted or otherwise displayed in the English language in legible letters and figures not less than 25 mm in height. (Amended by Legal Notice 49 of 1979.)

*Trailer rear warning sign*

**87.—(1)** When a motor vehicle is towing a trailer or trailers, or towing a motor vehicle, on a road, there shall be exhibited in a conspicuous position on the back of

the trailer, or where 2 trailers are being towed on the back of the rearmost trailer, or on the back of the towed motor vehicle, a distinguishing mark in the form set out in the Third Schedule.

(2) The mark shall be kept clear and unobscured.

(3) This regulation shall not apply to—

(a) any trailer forming part of an articulated vehicle; or

(b) any broken down vehicle being towed in consequence of a breakdown.

*Prohibited signs*

88. No vehicle shall display any sign calculated to indicate that it is a public service vehicle unless such vehicle is licensed as a public service vehicle.

*Driver's seat*

89. No person or goods of any description whatsoever shall be carried in any motor vehicle in such a position or in such a manner as to occupy any part of the seat of the driver of such vehicle or so as to obstruct his movements or view whilst driving the vehicle.

*Division 2—Provisions Applying only to Public Service Vehicles and Rental Cars*

*Subdivision A—Construction and Use*

*Internal height*

90. The internal height of the body of any public service vehicle, other than a taxi or a hire car, measured from the floor level to the underside of the roof bearers, or to any lining placed on the roof bearers, shall not be less than 1,680 mm. (Amended by Legal Notice 49 of 1979.)

*Construction, bodywork, etc.*

91. Every public service vehicle, including all bodywork, upholstery and fittings, shall be soundly and properly constructed to the satisfaction of a certifying officer. Suitable materials shall be used and the whole shall be well finished and be in good and serviceable condition and of such a design that it is capable of withstanding the loads and stresses likely to be encountered in operation.

*Construction of omnibuses*

92.—(1) No omnibus shall be constructed in or imported into Fiji unless the construction plans have first been approved by a certifying officer.

(2) Coachbuilders and all persons proposing to import omnibuses into Fiji shall submit plans in duplicate of the proposed body construction of omnibuses to the Principal Licensing Authority for approval by a certifying officer.

(3) Omnibuses imported into Fiji shall comply in all respects with the requirements of the Act and of any regulations made thereunder relating to the construction, weight and equipment of motor vehicles which are applicable to the omnibus.

*Cleanliness of public service vehicles for certificate of fitness examination*

93. All public service vehicles proceeding for an examination for a certificate of fitness shall be thoroughly cleaned and in such condition as to allow an examiner to see all parts and places necessary for him to carry out the examination of the vehicle.

*Ventilation*

94.—(1) Adequate ventilation shall be provided in a public service vehicle for both the passengers and the driver when the sides, windows or windscreens are closed.

(2) Where a vehicle is fitted with an adequate and functioning air conditioning unit, such unit shall be deemed sufficient compliance with the provisions of paragraph (1).

*Wiring*

95. All wiring in a vehicle, conveying or intended to convey an electric current, shall be so insulated, installed and secured as not to be a source of danger to persons using the vehicle.

*Towing*

96. No public service vehicle whilst carrying passengers shall tow or be towed by another vehicle.

*Petrol, oil, kerosene, noxious liquids, etc.*

97.—(1) No petrol, kerosene, noxious liquids, oil or any inflammable liquid shall be carried in or on a public service vehicle except—

- (a) in the fuel tank; or
- (b) in quantities not exceeding 18 litres, in clean containers constructed and maintained in such a condition as to prevent leakage, the escape of fumes or evaporation; and in any case only in an outside luggage compartment.

*(Amended by Legal Notice 49 of 1979.)*

(2) Petrol, diesel oil or other fuel oil shall not be filled into the fuel tank of an omnibus while any passenger is on board such omnibus.

*Number of passengers to be carried*

98.—(1) No person shall cause or permit a greater number of passengers to be carried in a public service vehicle than the number which the vehicle is licensed to carry:

Provided that, for the purposes of this paragraph—

- (a) any child under the apparent age of 5 years shall not count as a passenger;
- (b) any 3 children under 1,220 mm in height shall count as 2 passengers;
- (c) any 3 *bona fide* students travelling to or from school, but not otherwise shall count as 2 passengers.

*(Amended by Legal Notice 49 of 1979.)*

(2) On every public service vehicle there shall be conspicuously displayed in letters and figures—

- (a) in the case of an omnibus, in the interior of the vehicle above the windscreen on the left; and
- (b) in the case of a taxi or hire car, in the left hand bottom corner of the windscreen,

a notice stating, in the English language, the number of seated passengers which the vehicle is licensed to carry and the number of additional standing passengers, if any, which the vehicle is licensed to carry at such times as it is lawful to carry standing passengers.

*Maximum number of passengers to be carried in a taxi, hire car or rental car*

99.—(1) No taxi, hire car or rental car shall be licensed to carry nor shall carry more than 6 passengers excluding the driver.

(2) No motor vehicle having more than 7 seats shall be used as a taxi, hire car or rental car.

*Seating capacity of public service vehicles*

100. In determining the number of persons for which any public service vehicle or rental car has seating capacity, the following provisions shall apply:—

(a) where separate seats for each person are provided, 1 person shall be counted for each separate seat:

Provided that the measurement of each such separate seat shall not be less than the minimum set out in paragraph (b);

(b) where the vehicle is fitted with continuous seats, 1 person shall be counted for each complete length of 410 mm measured in a straight line lengthwise 155 mm above the level of the seat and 155 mm forward of the back squab and, where any such continuous seat is fitted with arms for the purpose of separating the seating spaces and such arms are so constructed that they can be folded back or otherwise put out of use, such seat shall be measured as if it had not been fitted with arms:

Provided that—

(i) in calculating the seating capacity of any vehicle, the driver's seat shall be excluded, and, for the purpose of these Regulations, the driver's seat means any separate seat occupied by the driver of the vehicle or, where no such separate seat is provided and the driver occupies a portion of a continuous seat, means—

(a) in any case where the gear shift lever is on the floor of the vehicle, so much of the seat as extends from the right edge of the seat in the case of a vehicle steered from the right hand side or from the left edge of the seat in the case of a vehicle steered from the left hand side to a point directly behind the head of the gear shift lever when in a position furthest from the driver; or

(b) in any other case, 410 mm of such seat from the right hand edge in the case of a vehicle steered from the right hand side and from the left hand edge in the case of a vehicle steered from the left hand side; and

(ii) where a radius edge is fitted on the edge of any seat to permit easy access for passengers, such seat shall be measured as if there were no radius.

(Amended by Legal Notice 49 of 1979.)

*Arrangement of seats in omnibus*

101.—(1) The distance between the backs of the seats in an omnibus, when the seats are so placed that they are facing one another, shall not be less than 1,425 mm.

(2) Where seats are placed behind each other in an omnibus, the distance between the backs of any 2 seats so placed shall not be less than 660 mm.

(3) A space measured at least 410 mm along the front edge, and not less than 360 mm or more than 410 mm along the side edge, shall be allowed in each seat for each passenger in an omnibus.

(Amended by Legal Notice 49 of 1979.)

*Arrangement of seats in taxis and hire cars: doors and luggage space*

102.—(1) A taxi or hire car shall be of such size and dimensions and have such adequate head and leg room that, in the opinion of a certifying officer, passengers may be comfortably seated. The doors and seats shall be so constructed as to permit easy means of entrance to and exit from the vehicle. Tip up front seats shall not be regarded as providing easy entrance or exit.

(2) Adequate luggage space shall be provided for the number of passengers the vehicle is licensed to carry.

*Method of construction of seats*

103. Unless exemption is given in any special case by a certifying officer, the frames of all seats in any public service vehicle shall be of metal construction and fitted with a comfortable cushion and back rest, and shall be fitted to the floor of the vehicle in such a way that, in the event of an accident, the seat frames shall remain affixed to the floor.

*Hire cars or rental cars not to ply for hire*

104. No hire car or rental car shall ply for hire on any road or from any public stand, or be used as a taxi.

*Routes*

105. Every driver of an omnibus shall, after leaving a bus station or bus stop with passengers, proceed direct to the place or places included in the route of such omnibus without unnecessary delay.

*Grant of certificate of fitness*

106. A certificate of fitness shall not be issued in respect of any public service vehicle or rental car which does not comply with the relevant provisions of these Regulations concerning the construction, weight and equipment of motor vehicles.

*Subdivision B—Equipment**Certain regulations not to apply to taxis, hire cars and rental cars*

107. The provisions of regulations 109, 110, 113, 116, 119, 122, and 123 shall not apply to taxis, hire cars and rental cars.

*Tyres*

108.—(1) Every public service vehicle and rental car shall be equipped with a spare tyre mounted on a wheel and suitable for use on the vehicle. Such wheel and tyre shall be fitted in the vehicle, be maintained in good condition and be available for use at all times.

(2) Every public service vehicle and rental car shall be equipped with a serviceable jack and wheelbrace suitable for use on such vehicle for the purpose of changing wheels.

(3) Notwithstanding the provisions of paragraphs (1) and (2), heavy public service vehicles shall not be required to carry a spare wheel and jack when operating within a radius of 8 km from the General Post Office in Suva or the Post Office in Lautoka. (*Amended by Legal Notice 49 of 1979.*)

(4) Notwithstanding the foregoing provisions of this regulation, no motor cycle being operated as a rental car shall be required to carry a spare tyre, spare wheel, jack or wheel brace.

*Doors and steps*

109.—(1) Every public service vehicle shall be provided with not less than 2 exits, not both on the same side, the normal exit/entrance shall be on the left or near side.

(2) Any entrance or exit shall be not less than 460 mm in width and shall be of such height and of such construction as to permit of the free entrance and exit of passengers from the vehicle. (*Amended by Legal Notice 49 of 1979.*)

(3) Where the floor of an omnibus is more than 460 mm above the level of the ground, steps shall be provided at each entrance or exit, other than at the emergency window or panel, with suitable supports and handrails to assist persons when entering or leaving the vehicle. The lowest step shall not be more than 460 mm above the ground, the rises of all steps shall be closed and the treads of the steps shall be fitted with a form of nonslip tread-plate approved by a certifying officer. (*Amended by Legal Notice 49 of 1979.*)

(4) Where a door, other than a sliding or folding door, is fitted to any entrance or exit it shall be hinged on the side of the entrance or exit nearest to the front of the vehicle.

(5) Where any seat is so placed that a passenger seated upon it is liable to be thrown forward through an entrance or exit, an effective screen or guard shall be so placed as to provide protection for a passenger occupying such seat.

(6) Where a separate compartment is provided for the driver in any motor vehicle, a separate entrance and exit for such driver with a door opening to the outside of the vehicle from such separate compartment shall be provided.

(7) No passenger entrance or exit shall be provided on the offside of any omnibus other than—

(a) an emergency exit; or

(b) a separate entrance and exit for the driver, whether from a separate compartment or otherwise.

*Emergency window, door or panel*

110.—(1) Every public service vehicle which is not fitted with 2 doors on separate sides shall be fitted with an emergency window, door or panel capable of immediate release in case of accident. Emergency exits shall measure at least 460 mm wide and give a total clear area of 7,435 cm<sup>2</sup>. (*Amended by Legal Notice 49 of 1979.*)

(2) Emergency exits shall be clearly marked as such, and instructions for opening such emergency exits shall be clearly shown thereon, in the English language.

*Aisles*

111. From the entrance doorway of every omnibus, there shall be a passage way or aisle not less than 330 mm in width and free from obstruction:

Provided that for a height of not less than 105 mm above the floor covering such passage way or aisle shall be not less than 380 mm in width.

(*Amended by Legal Notice 49 of 1979.*)

*Windows*

112.—(1) Every omnibus shall be fitted with adequate window space capable of being closed only by—

(a) safety glass;

(b) canvas, with a type of clear plastic or similar material insert of not less than 25 per cent of the total area; or

- (c) clear plastic or similar material which, if fractured, is not likely to cause severe cuts or fly into fragments.
- (2) Where quarter lights or side screens are fitted to any omnibus, they shall be of safety glass or of plastic or such similar material as is approved by a certifying officer.
- (3) Where window spaces in an omnibus are closed with glass or plastic or similar material, every alternate window in the sides of the omnibus shall be capable of being fully opened, or every window in the sides of the omnibus shall be capable of being half opened.

*Fuel intake*

113. The filling inlet of any fuel tank in a public service vehicle shall be situated on the outside of such vehicle, and shall not be situated within 305 mm of any entrance or exit, other than an emergency exit, nor within 610 mm of the outlet of any exhaust pipe.

*(Amended by Legal Notice 49 of 1979.)*

*Taxi signs*

114.—(1) Every taxi shall carry a roof sign which shall be illuminated whilst travelling on a road and available for hire bearing the word "TAXI" in black letters on a white ground. Such sign shall be so fitted and shall be of such size as to be clearly visible from the front of the vehicle both by day and by night for a distance of not less than 45 m:

Provided that if no white light is visible to the rear, such sign may be so fitted so to show to the rear the word "TAXI" in black letters on a red or amber ground.

(2) Every taxi shall be fitted with a plate carrying the registration number of the vehicle with figures not less than 55 mm in height, the plate being fitted in a conspicuous position on the back of the front seat so as to be readily visible to any passenger occupying the rear seat.

*(Amended by Legal Notice 49 of 1979.)*

*Destination indicators and signs*

- 115.—(1) Every omnibus shall, when plying for hire on a road, carry—
- (a) at a height not less than 2,135 mm from the ground a sign capable of clearly indicating the route numbers and terminal points appropriate to the journey being or about to be made by the omnibus;
- (b) at the near side close to the entrance at a height of not less than 1,525 mm from the ground a sign showing the route number of the omnibus.

*(Amended by Legal Notice 49 of 1979.)*

(2) Every omnibus shall while being used as a contract carriage carrying passengers, display a sign bearing the word "SPECIAL" at the front and a blank sign on the near side.

(3) Every omnibus shall, while being used as a school bus, display the word "SCHOOL" at the front and rear and the sign "OO" on the near side.

(4) The signs referred to in this regulation shall be composed of plain black numbers and letters not less than 105 mm in height and of proportionate breadth upon a chrome yellow background and shall be capable of being illuminated and being read at a distance of 30 m. *(Amended by Legal Notice 49 of 1979.)*

*Luggage racks*

116. Where internal luggage racks are fitted to a public service vehicle between the roof level and the tops of the seat backs, a sign bearing the words "MIND YOUR HEAD" shall be displayed in a place visible to any passenger seated in the vehicle.

*Driver's bell*

117. Every omnibus shall be fitted with a bell or other device audible to the driver, to enable the passengers in such vehicle to signal to the driver.

*Interior illumination*

118.—(1) The inside of every omnibus when plying for hire on a road at night shall be adequately illuminated to the satisfaction of a certifying officer, and such illumination shall be so designed as to prevent the light from causing inconvenience to the driver.

(2) The lowest tread of the entrance/exit of an omnibus shall be illuminated when picking up or setting down passengers by night.

*Propeller shaft safety*

119. Every public service vehicle shall be fitted with a safety loop under the propeller shaft consisting of a metal strip of a minimum width of 25 mm and a minimum thickness of 3.5 mm or an equivalent cross-sectional area, welded or bolted to the chassis members or body cross members, and transversely looped under the propeller shaft. Where an intermediate propeller shaft bearing is fitted, a safety loop shall be incorporated under the foremost end of each section of the propeller shaft.

(Amended by Legal Notice 49 of 1979.)

*Fire extinguishers*

120.—(1) Every omnibus shall carry an efficient fire extinguisher of a type approved by the Principal Licensing Authority, maintained in working order and fitted in such a position as to be clearly visible by, and at all times readily accessible to, the driver and all passengers in such omnibus.

(2) Every fire extinguisher fitted to an omnibus in accordance with the provisions of paragraph (1) shall be available at all times for inspection and testing by an authorised examiner.

*First aid kits*

121.—(1) Every omnibus shall carry a first aid kit of such type, and containing such items, as may be required by the Principal Licensing Authority. Such first aid kit shall be carried in a box fitted in a conspicuous place in the omnibus readily accessible to the driver and all passengers travelling therein. Such box shall be painted white with a red cross marked thereon the bars of which cross shall not be less than 40 mm long by 15 mm wide. (Amended by Legal Notice 49 of 1979.)

(2) Every first aid kit carried on an omnibus in accordance with the provisions of paragraph (1) shall be available at all times for inspection by an authorised examiner.

*Public address system*

122. Where a public service vehicle is fitted with a public address system to be operated by the driver, a microphone that does not require to be held in the hand shall be fitted for use when the vehicle is in motion.



*Radios, transmitters and receivers*

123.—(1) Except with the prior permission in writing of the Principal Licensing Authority and of the Permanent Secretary for Posts and Telecommunications, no public service vehicle shall be fitted with a radio capable of 2 way (transmitting and receiving) communication.

(2) Radio equipment fitted to a public service vehicle in accordance with the provisions of paragraph (1) shall be used only for communications between the vehicle and its base.

(3) The provisions of regulation 122 shall also apply to such equipment.

*Exemption*

124.—(1) The Authority may grant exemptions either generally or specially from any of the provisions of this Part.

(2) Subject to any conditions which the Authority may prescribe, the Principal Licensing Authority may exempt any vehicle or class of vehicle from the provisions of regulations 34, 35, 38, 39, 40, 58, 61, 62, 81, 82, 84, 90, 101 and 117. (*Inserted by Legal Notice 96 of 1977; amended by Legal Notice 74 of 1981.*)

*Division 3—General**Offences*

125. Save as is provided in regulation 49, any person contravening or wilfully failing to comply with any of the provisions of this Part shall be guilty of an offence and on conviction shall be liable to a fine not exceeding \$50 or to imprisonment for a term not exceeding 3 months.

## PART IV—DRIVING RECORDS

*Records to be kept by drivers of certain vehicles*

126.—(1) Subject to the provisions of these Regulations and of section 43 of the Act, every driver of—

- (a) a public service vehicle;
- (b) a heavy goods vehicle; or
- (c) a motor tractor,

shall be issued by the holder of the licence of such vehicle with a form of driving record, and every driver of such vehicle shall keep and carry with him, at all times when driving any such vehicle, a current record divided into periods of 24 consecutive hours which shall give, in respect of each such period during which or during any part of which the driver was employed in driving the information in the appropriate form.

(2) Notwithstanding the provisions of paragraph (1), the record required may be kept in a form other than the appropriate form if every item of information required by the appropriate form is recorded in such a manner as to be readily identifiable by any person authorized by the provisions of these Regulations to inspect such record.

(3) Any labour officer or police officer may, at any time, require the driver of a vehicle in respect of which a driving record is required to be carried to produce such record for inspection. The holder of a licence for such vehicle shall, if called upon to do so by any such officer, produce such record for inspection within 7 days.

*Custody and signing of records*

127.—(1) Any record required to be kept under the provisions of these Regulations shall be carried by the driver until he shall have completed his work for the period to which the record relates. The driver shall then sign the record in the space provided for his signature and shall deliver the record to the holder of the licence or his authorized representative within 7 days of the expiration of that period.

(2) The holder of the licence or his authorised representative shall retain such record for a period of at least 30 days from receipt.

*Offences*

128. Any person contravening or wilfully failing to comply with any of the provisions of this Part shall be guilty of an offence and on conviction shall be liable to a fine not exceeding \$50 or to imprisonment for a term not exceeding 3 months:

Provided that a driver shall not be guilty of an offence for failing to deliver a record to the holder of a licence under the provisions of regulation 127 if he shows that it was not reasonably practicable for such record so to be delivered.

PART V—CONDUCT OF DRIVERS, CONDUCTORS AND PASSENGERS

*Conduct of drivers*

129. The driver of a public service vehicle, when acting as such, shall—

- (a) behave in a civil and orderly manner;
- (b) take all reasonable precautions to ensure the safety of passengers in or on entering or alighting from the vehicle;
- (c) not wilfully deceive or refuse to inform a passenger or intending passenger of the destination or route of the vehicle or of the fare for the journey;
- (d) not cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers, except at a stand or place where such vehicle is permitted to stop for a longer time than is necessary for that purpose;
- (e) not obstruct or, on request at any reasonable time, refuse or neglect to give all reasonable information and assistance to any person having authority to examine the vehicle;
- (f) not, when the vehicle is in motion, enter into conversation with any other person unless it is necessary to do so on the grounds of safety;
- (g) when picking up or setting down passengers stop the vehicle as close as may be to the left of the road, or pull in as far as possible off the road, where bus stop bays are provided;
- (h) not, when the vehicle is operating as a stage carriage and where bus stops have been appointed, stop such vehicle at any place other than at an appointed bus stop;
- (i) be clean and tidy;
- (j) to the best of his ability take steps whenever necessary to enforce the provisions of these Regulations relating to the conduct of passengers; and
- (k) if he is required to issue a ticket, issue the correct ticket for each fare received. (Amended by Legal Notice 64 of 1985.)

*Conduct of conductors*

130.—(1) The conductor of a public service vehicle shall, when acting as such—

- (a) not, when the vehicle is in motion, distract the attention of the driver without reasonable cause, nor converse with him unless it is necessary to do so in order to give directions as to the stopping or parking of the vehicle;
- (b) take all reasonable precautions to ensure that the route, fares and destination of the vehicle are clearly and correctly displayed by every means provided for the purpose:  
Provided that, where a conductor is not carried, this shall be the duty of the driver;
- (c) endeavour to the best of his ability to ensure the observance of the provisions of these Regulations which relate to the conduct of passengers;
- (d) not, except for sufficient reason, cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers, except at a terminus or stand or place where the vehicle is specially authorized by law to stop for a longer time than is necessary for that purpose;
- (e) not be under the influence of drink or drugs;
- (f) be clean and tidy;
- (g) behave in a civil and orderly manner; and
- (h) if he is required to issue a ticket, issue the correct ticket for each fare received. (*Amended by Legal Notice 64 of 1985.*)

*Conduct of passengers*

131. When a public service vehicle is carrying passengers or waiting to pick up passengers, a passenger shall not—

- (a) use obscene or offensive language or conduct himself in a riotous or disorderly manner;
- (b) enter or alight from the vehicle otherwise than by the doors or opening provided for the purpose;
- (c) when entering or attempting to enter the vehicle, wilfully or unreasonably impede passengers seeking to enter the vehicle or alight therefrom;
- (d) enter or remain in or on the vehicle, when requested not to do so by an authorized person or police officer on the ground that the vehicle is carrying its full complement or that the operator is debarred from picking up passengers at the place in question by reason of the conditions attached to his road service licence;
- (e) travel in or on any part of the vehicle not provided for the conveyance of passengers;
- (f) wilfully do or cause to be done, with respect to any part of the vehicle or its equipment, anything which is calculated to obstruct or interfere with the working of the vehicle or cause injury or discomfort to any person;
- (g) when the vehicle is in motion, distract the attention of the driver or speak to him without reasonable cause;

- (h) spit upon or from, or wilfully damage, soil or defile, any part of the vehicle;
- (i) when in or on the vehicle, for the purpose of advertising, distribute printed or similar matter of any description or distribute any article;
- (j) wilfully remove, displace, deface or alter any number plate, notice board, fare table, route indicator or destination board or any printed or other notice or advertisement in or on the vehicle;
- (k) when in or on the vehicle, to the annoyance of other persons, use or operate any noisy instrument or make or combine with any other person or persons to make any excessive noise by singing, shouting or otherwise;
- (l) throw any article out of the vehicle or attach to or throw from or trail from the vehicle any streamer, balloon, flag or other article in such manner as to cause danger to anyone in or on the vehicle or on the road;
- (m) wilfully obstruct or impede any authorized person in the carrying out of his duties upon or in connection with the vehicle;
- (n) bring in or upon any vehicle, any animal or article of offensive character or of such dimensions as to inconvenience any passenger, or any substance which might soil or damage the vehicle or the apparel of any passenger;
- (o) enter or travel in or on a vehicle with loaded firearms or any dangerous article;
- (p) with intent to avoid payment, leave a vehicle without paying the fare for the journey which he has taken;
- (q) if requested by an authorized person, refuse to leave the vehicle on the completion of the journey the fare for which has been paid;
- (r) if he is in a state of intoxication, enter or attempt to enter, or having entered refuse to leave, the vehicle;
- (s) enter or alight from any vehicle while the vehicle is in motion, or attempt to do so; and
- (t) if a ticket is required to be issued to him, travel in the vehicle unless there has been issued to him a valid and subsisting ticket and he shall not fail to produce such ticket on demand to an authorized person or police officer.

*(Amended by Legal Notice 64 of 1985.)*

*Removal, etc., of passengers*

**132.—**(1) Any passenger contravening the provisions of this Part may be removed from the vehicle by an authorized person or by a police officer.

(2) A passenger in or on a vehicle who is reasonably suspected by an authorized person or by a police officer contravening the provisions of these Regulations shall on demand give his name and address to an authorized person or a police officer.

*Authorized person*

**133.** For the purpose of this Part, an authorized person means the licensee of the vehicle or any employee of the licensee on duty in connection with the vehicle or any person duly authorized by the provisions of these Regulations.

*Offences*

134. Any person contravening or wilfully failing to comply with any of the provisions of this Part shall be guilty of an offence and on conviction shall be liable to a fine not exceeding \$50 or to imprisonment for a term not exceeding 3 months.

## PART VI—MOVEMENT OF TRAFFIC

*Vehicles to keep to left*

135.—(1) Subject to the provisions of regulation 136, every vehicle shall normally be driven as close to the left hand side of the road as is practicable.

(2) No person being the driver or in charge of any vehicle shall stop (other than stopping for a lawful signal), stand or park that a vehicle on a road, whether attended or unattended, otherwise than parallel with the direction of the roadway and with the left side of the vehicle as close as is practicable to the left side of the road, except in a one-way road, when the vehicle shall face in the same direction as the vehicles proceeding along the road and as close as practicable to either side of the road:

Provided that, where the controlling authority has indicated that vehicles may be parked only at an angle to the direction of the roadway, no person shall stand or park any vehicle otherwise than in accordance with the direction indicated or when the vehicle is stopping to turn right.

*Overtaking*

136.—(1) Every vehicle overtaking another vehicle on a road shall be kept to the right of such vehicle except where—

- (a) the driver of the vehicle being overtaken has signified his intention of turning to the right and has taken up a position in the centre of the road leaving room for overtaking vehicles to pass on his left; or
- (b) a road is divided into traffic lanes by marked lines on the road, or islands or bollards indicating traffic direction.

(2) Pedestrians or animals may be passed or overtaken on whichever side is the safer.

(3) A vehicle overtaking a school bus which has stopped to discharge or to pick up school children shall slow down to a safe speed, which in any case shall not exceed 16 km per hour. (*Amended by Legal Notice 49 of 1979.*)

*Giving way*

137. Subject to the provisions of regulation 138, the driver of a vehicle—

- (a) meeting another vehicle on a road shall, when necessary to allow safe passage, slow down and the driver of an unladen vehicle shall give way to a laden vehicle in such circumstances;
- (b) descending a hill, shall give right of way to a vehicle ascending the hill;
- (c) shall give way to ambulances, police vehicles and fire engines upon hearing a siren, bell or gong sounded by any of those vehicles.

*Right hand rule at intersections*

138.—(1) A driver of any vehicle approaching or crossing an uncontrolled intersection shall yield the right of way to any other vehicle approaching or crossing the intersection from his right:

Provided that—

- (a) where 1 only of the vehicles is turning or about to turn to its right or is under control of a "stop" sign or of a "give way" sign, the driver of that vehicle shall yield right of way to the other vehicle;

- (b) where both vehicles are turning or about to turn to the right, the provisions of this paragraph shall not apply.
- (2) Every driver approaching or crossing an uncontrolled intersection shall yield the right of way to every other vehicle entitled to the right of way under the foregoing provisions of this regulation and, if necessary for that purpose, shall stop his vehicle.
- (3) A driver shall not increase the speed of his vehicle when approaching or crossing any uncontrolled intersection at which any other vehicle has right of way under this regulation.
- (4) Nothing in this regulation shall affect anything in the Railways Act.  
(Cap. 179.)

*Slow moving traffic*

139. Where for any reason a vehicle is proceeding at slow speed which is causing obstruction to other traffic, the driver of such vehicle shall keep the vehicle as close to the left side of the road as practicable and permit other vehicles to overtake him.

*Drivers not to drive on footpaths*

140. A driver shall not wilfully and unnecessarily drive a vehicle upon a footpath.

PART VII—PEDESTRIAN CROSSINGS

*Duty of driver approaching pedestrian crossing*

- 141.—(1) Every driver of a motor vehicle, when approaching a pedestrian crossing, shall reduce his speed as to enable him to stop before reaching the crossing and shall yield the right of way to a pedestrian using it.
- (2) No vehicle shall be driven so that it overtakes and passes any other motor vehicle which has stopped or slowed down to comply with the provisions of paragraph (1).

*Loitering on pedestrian crossings*

142. A pedestrian shall not remain on a pedestrian crossing longer than is necessary for the purpose of crossing the roadway with reasonable despatch.

*Using pedestrian crossings*

143. No pedestrian shall cross a roadway otherwise than on a pedestrian crossing, when such a crossing is reasonably available to him for that purpose.

PART VIII—STOPPING AND PARKING VEHICLES

*Prohibition on stopping of vehicles*

144. No person shall stop a vehicle on a road—
- (a) within an intersection unless traffic signs indicate that stopping is allowed;
- (b) within 6,100 mm of an intersection or, where a traffic sign indicates any other distance or space, within the distance or space from the intersection indicated;

- (c) upon a pedestrian crossing or within 10 m of the approach to a pedestrian crossing to pick up or set down goods or passengers;
- (d) whereby obstruction is caused;
- (e) within 1,220 mm of a fire hydrant;
- (f) on any road or part thereof or other place indicated by a traffic sign as reserved for any class of vehicles other than vehicles coming within the reserved class;
- (g) so that any other stopped vehicle having more than 2 wheels is located between his vehicle and the nearest edge of the roadway on his correct side;
- (h) upon, or partly upon any footpath;
- (i) on any part thereof at places indicated by a "No Stopping" traffic sign:  
Provided that stopping may be permitted during times other than those indicated as no stopping times on a "No Stopping" traffic sign.  
(Amended by Legal Notice 49 of 1979.)

*Prohibition on parking vehicles*

**145.** No person shall park a vehicle—

- (a) within an intersection or within 6,100 mm thereof or, where a traffic sign indicates any other distance or space, within the distance or space, so indicated;
- (b) within 1,220 mm of a fire hydrant;
- (c) whereby any obstruction is caused;
- (d) in front of any road, drive or entrance to a road used or capable of being used by motor vehicles;
- (e) on any bridge;
- (f) at any place where traffic signs indicate the prohibition of parking;
- (g) on any road or part thereof, for a longer period of time than is indicated on any traffic sign relating to that road or part thereof;
- (h) on any road or part thereof indicated by a traffic sign as reserved for any class of vehicles, other than a vehicle coming within the reserved class;
- (i) upon a pedestrian crossing or within 10 m of the approach to a pedestrian crossing;
- (j) upon, or partly upon a footpath.  
(Amended by Legal Notice 49 of 1979.)

*Parking stalls*

**146.** Where any area has been marked to indicate parking stalls for individual motor vehicles, no person shall park any vehicle otherwise than between the lines or marking indicating the limits of a single stall except in the case of a vehicle being of greater length or width than that of a parking stall.

## PART IX—SCHOOL CROSSINGS

*Arrangements for patrolling school crossings*

**147.** The Authority may make arrangements for the patrolling of places where, and during such periods as, children cross roads on their way to or from school by persons wearing such distinguishing marks as may be approved by the Authority, such persons being hereinafter referred to as school patrols.

*Stopping for vehicles at school crossings*

148.—(1) A school patrol may, by the display of the appropriate traffic sign in such places and during such periods as are referred to in regulation 147, require any vehicle approaching such places to stop in order to allow children to cross the road thereat.

(2) Where a person has been required to stop a vehicle under the provisions of paragraph (1), he shall—

(a) cause the vehicle to stop before reaching the place at which children are crossing or seeking to cross the road so as not to stop or impede their crossing; and

(b) not permit the vehicle to be put in motion so long as the appropriate traffic sign is displayed.

(3) Any person failing to comply with the provisions of paragraph (2), shall be guilty of an offence.

(4) Any traffic sign displayed under the provisions of this regulation or any school patrol acting as such under such provisions shall be deemed, unless the contrary is proved, to be an authorized traffic sign or school patrol duly authorized and to be wearing distinguishing marks approved by the Authority, as the case may be.

PART X—LEVEL CROSSINGS

*Level crossings*

149.—(1) The driver of a vehicle approaching a level crossing shall—

(a) drive at a speed which will enable him to yield right of way to a train approaching or crossing the level crossing;

(b) obey a sign or signal requiring the vehicle to stop or to slow down before the level crossing;

(c) yield right of way to a train at or approaching the level crossing.

(2) A person shall not stop or park a vehicle on, or so as to obstruct, a level crossing.

(3) A person shall not drive or attempt to drive a vehicle or an animal onto or across a level crossing so as to cause a risk of collision with a train.

(4) Rail traffic shall have absolute priority on a level crossing.

*(Substituted by Legal Notice 55 of 1985.)*

PART XI—MISCELLANEOUS

*Offences*

150. Any person contravening or wilfully failing to comply with any of the provisions of Parts VI, VII, VIII IX or X shall be guilty of an offence and on conviction shall be liable to a fine not exceeding \$50 or to imprisonment for a term not exceeding 3 months.

*(Substituted by Legal Notice 55 of 1985.)*



## FIRST SCHEDULE

(Regulation 26)

(Amended by Legal Notice 49 of 1979.)

DISEASES AND DISABILITIES REQUIRING DISABILITY TEST OR  
MEDICAL CERTIFICATE OF FITNESS OR ABILITY TO DRIVE A  
MOTOR VEHICLE

1. Epilepsy.
2. Mental disorder.
3. Feeble-mindedness.
4. Liability to sudden attacks of disabling giddiness or fainting.
5. Loss of any limb or loss of muscular control of any limb.
6. Inability to read at a distance of 25 m in good daylight (with the aid of glasses, if worn) a series of 6 letters and figures coloured white on a black surface of the same size and arrangement as those prescribed for the registration mark of a motor car.

## SECOND SCHEDULE

(Regulation 74)

(Amended by Legal Notice 49 of 1979.)

<i>Column 1</i>	SIZE OF TYRES <i>Column 2</i>	<i>Column 3</i>
<i>Description or class of vehicle</i>	<i>Gross weight</i>	<i>Minimum nominal width of tyres in mm</i>
4 Wheeled Motor vehicle .....	Not exceeding 1,780 kg .....	100
	Exceeding 1,780 kg but not exceeding 2,290 kg ..	125
	Exceeding 2,290 kg but not exceeding 3,305 kg ..	150
	Exceeding 3,305 kg but not exceeding 4,320 kg ..	175
	Exceeding 4,320 kg but not exceeding 6,605 kg ..	200
	Exceeding 6,605 kg but not exceeding 7,620 kg ..	255
6 Wheeled Motor vehicle .....	Exceeding 7,620 kg but not exceeding 9,145 kg ..	305
	Not exceeding 3,555 kg .....	125
	Exceeding 3,555 kg but not exceeding 5,335 kg ..	150
	Exceeding 5,335 kg but not exceeding 7,370 kg ..	175
	Exceeding 7,370 kg but not exceeding 8,640 kg ..	200

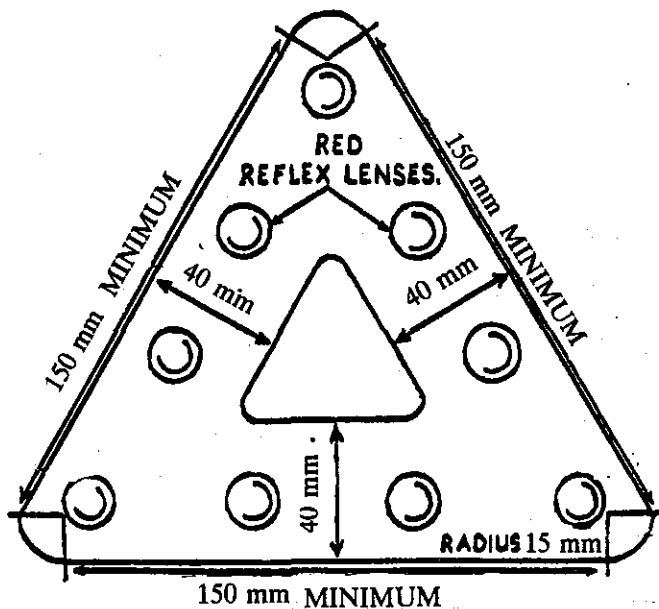
	Exceeding 8,640 kg but not exceeding 12,700 kg	225
	Exceeding 12,700 kg .....	305
Motor vehicle with 8 or more wheels	Not exceeding 6,100 kg .....	125
	Exceeding 6,100 kg but not exceeding 9,145 kg ..	150
	Exceeding 9,145 kg but not exceeding 10,160 kg	175
	Exceeding 10,160 kg but not exceeding 13,210 kg	200
	Exceeding 13,210 kg .....	255
2 Wheeled trailer	Not exceeding 765 kg .....	3
	Exceeding 765 kg but not exceeding 1,020 kg.....	125
	Exceeding 1,020 kg but not exceeding 1,780 kg ..	150
	Exceeding 1,780 kg but not exceeding 2,540 kg ..	175
	Exceeding 2,540 kg .....	200
4 Wheeled trailer	Not exceeding 2,290 kg .....	125
	Exceeding 2,290 kg but not exceeding 3,305 kg ..	150
	Exceeding 3,305 kg but not exceeding 4,320 kg ..	175
	Exceeding 4,320 kg .....	200
	8 Wheeled trailer	Not exceeding 4,575 kg .....
	Exceeding 4,575 kg but not exceeding 6,605 kg ..	150
	Exceeding 6,605 kg but not exceeding 10,160 kg	175
	Exceeding 10,160 kg .....	200

THIRD SCHEDULE

(Regulation 86)

(Amended by Legal Notice 49 of 1979.)

DISTINGUISHING MARK FOR TRAILER OR TOWED VEHICLE  
 Red Reflex Lenses on White Ground



SECTION 86—TRAFFIC REGULATIONS

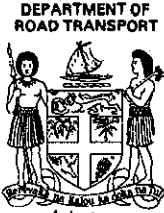
REGULATION 6—DIRECTION

DESIGN OF LICENCE STICKER

*Legal Notice No. 46 of 1977*

The design of every motor vehicle licence sticker issued on or after the 2 May 1977 shall be in accordance with the specimen shown in the Schedule.

SCHEDULE

REGISTRATION NO	MAKE	CLASS
GVW	NVW	ENGINE NO.
		LICENCE NO.
<p>DEPARTMENT OF ROAD TRANSPORT</p>		00001
<p>PRINCIPAL LICENSING AUTHORITY FIJI</p>		IN FORCE UNTIL
<p>MONTH OF EXPIRY</p>		FEE PAID

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SECTION 86—TRAFFIC REGULATIONS

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REGULATION 124—EXEMPTIONS

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EXEMPTION FROM USING SEAT BELTS

*Legal Notices Nos. 94 of 1975; 49 of 1979*

The Central Traffic Authority has notified that it has exempted the following classes of persons from the provisions of paragraph (4) of regulation 57 of the Traffic Regulations:—

- (a) Any person who, when required to do so by a police officer, produces to that officer a certificate from a registered medical practitioner stating that the wearing of a seat belt by that person is impracticable or undesirable for medical reasons, or any driver who, if wearing an approved seat belt, could not properly operate any of the following items of vehicle equipment:—
    - (i) parking brake;
    - (ii) windscreen wiper control;
    - (iii) choke;
    - (iv) driver's sun visor.
  - (b) The driver of any vehicle operating as a taxi.
  - (c) Any person who is the driver of or a passenger in a motor vehicle which is travelling backwards.
  - (d) Any person who is engaged in continuous work which requires him to stop, alight from and re-enter any motor vehicle at frequent intervals and does not, while so engaged, drive or travel in that vehicle at a speed exceeding 35 km per hour.
  - (e) Any person under the age of 7 years.
  - (f) Any person of, or over, the age of 70 years who is travelling as a passenger in any motor vehicle.
  - (g) Any police officer who is driving or a passenger in a police motor vehicle whilst on duty.
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## SECTION 86—TRAFFIC (DRIVING SCHOOL) REGULATIONS

## TABLE OF PROVISIONS

## REGULATION

1. Short title
2. Interpretation
3. Application to operate a driving school
4. Registration of driving school
5. Name to be displayed
6. Application to be a driving instructor
7. Requirements to be satisfied by applicant to be a driving instructor
8. Driving instructor's permit
9. Vehicles to be verified
10. Equipment of Group 2 tuition vehicle
11. Tuition only to be given in registered and equipped vehicles
12. Notice of intended revocation
13. Hearings
14. Appeals
15. Offences
16. Penalty

*Legal Notices Nos. 143 of 1971; 49 of 1972; 140 of 1974; 49 of 1979*

*Short title*

1. These Regulations may be cited as the Traffic (Driving School) Regulations.

*Interpretation*

2. In these Regulations, unless the context otherwise requires—  
“driving instructor” means any person who holds a current permit to be a driving instructor and is engaged for profit in giving instruction to pupils in driving motor vehicles;  
“driving school” means any organisation which provides professional driving instructors, with or without motor vehicles, for the purpose of giving instruction to pupils in driving motor vehicles;  
“pupil” means any person who is for the time being undergoing instruction by a driving instructor in driving a motor vehicle.

*Application to operate a driving school*

3. The Principal Licensing Authority shall, upon application on a form approved by the Authority for that purpose and upon payment of the prescribed application fee, investigate the suitability of any person or organisation to operate a driving school.

*Registration of driving school*

4.—(1) The Principal Licensing Authority may, upon satisfying himself of the suitability of any person to operate a driving school, and upon payment of the prescribed registration fee, register such driving school and issue a certificate of registration to be operator thereof.

(2) Any certificate of registration mentioned in paragraph (1) shall be granted for 5 years from the date on which it is expressed to take effect. (*Inserted by Legal Notice 49 of 1972.*)

(3) Any certificate of registration mentioned in paragraph (2) shall be displayed by the operator of the driving school in a prominent position in his place of business. (*Inserted by Legal Notice 49 of 1972.*)

*Name to be displayed*

5. Every driving school shall display on both sides of every vehicle used by it the name of the driving school in letters not less than 50 mm in height. (*Inserted by Legal Notice 49 of 1972; amended by Legal Notice 49 of 1979.*)

*Application to be a driving instructor*

6.—(1) Every person who desires to obtain a permit to be a driving instructor shall make application in a form approved by the Principal Licensing Authority for that purpose and shall supply the Principal Licensing Authority with such evidence or information as will enable the Principal Licensing Authority to satisfy himself that the applicant is a fit and proper person to be the holder of such a permit.

(2) Every such application shall be accompanied by the prescribed application fee.

(3) The permit granted under this regulation shall be for 3 years from the date on which it is expressed to take effect. (*Inserted by Legal Notice 49 of 1972.*)

*Requirements to be satisfied by applicant to be a driving instructor*

7. Before granting a permit to be a driving instructor, the Principal Licensing Authority shall—

(a) make such enquiries as to the character of the applicant as are necessary to satisfy himself that the applicant is, in the opinion of the Principal Licensing Authority, having regard to the interests of the public, a fit and proper person to hold such a permit; and

(b) require the applicant to undergo and pass such tests as may be laid down by the Principal Licensing Authority.

*Driving instructor's permit*

8.—(1) If the Principal Licensing Authority is satisfied that the applicant is a fit and proper person to hold a permit to be a driving instructor and upon the applicant passing the appropriate tests and upon payment of the prescribed fee, the Principal Licensing Authority may issue such a permit in a form approved by the Authority.

(2) Any permit issued under the provisions of this regulation may extend to all motor vehicles or to any specified group or groups of motor vehicles.

*Vehicles to be verified*

9. Every operator to whom a certificate or registration has been granted under regulation 4 shall furnish to the Principal Licensing Authority such particulars as it

may require of all vehicles used or intended to be used in the operation of the driving school, and shall advise the Principal Licensing Authority every time he wishes to use a new vehicle or withdraw from use an existing vehicle from such operation. (*Inserted by Legal Notice 49 of 1972.*)

*Equipment of Group 2 tuition vehicle*

10. Each vehicle registered as a driving school vehicle for tuition in Group 2 vehicles as defined in the Traffic Regulations shall be equipped with—

- (a) dual-control mechanism on the clutch and the foot-brake;
- (b) 2 rear-vision mirrors to enable both the driving instructor and pupil to obtain clear reflected views from the seated position; and
- (c) a hand-brake accessible to both the driving instructor and the pupil.

(*Inserted by Legal Notice 49 of 1972.*)

*Tuition only to be given in registered and equipped vehicles*

11. All holders of a permit to be a driving instructor shall only use for any tuition whatsoever a vehicle which has been registered as a driving school vehicle for tuition in Group 2 vehicles as defined in the Traffic Regulations, and which is equipped in accordance with the provisions of regulation 10.

(*Inserted by Legal Notice 140 of 1974.*)

*Notice of intended revocation*

12.—(1) If it appears to the Principal Licensing Authority at any time that any person operating a registered driving school or any holder of a permit to be a driving instructor is or has become, whether by reason of physical incapacity or incompetency or for any other reason whatsoever, unfit to operate a registered driving school or to be the holder of a permit to be a driving instructor, as the case may be, the Principal Licensing Authority may, by notice in writing served personally upon the operator or holder of such permit, as the case may be, or sent to him by registered post at his last known or usual place of residence or at his place of business, call upon him to appear before the Principal Licensing Authority at a time and place stated in the notice, and to produce his certificate of registration or permit, as the case may be, and show cause why it should not be revoked.

(2) Every such notice shall state the grounds of the proposed revocation.

*Hearings*

13. The Principal Licensing Authority shall, at the time and place aforesaid, or at any other time and place to which consideration of the matter may be adjourned, take into consideration the matter stated in the notice and any evidence tendered in support thereof or tendered by the holder of the permit with respect thereto, and may, if he thinks fit, revoke the certificate of registration or permit to be a driving instructor.

*Appeals*

14. If any driving instructor or operator of a registered driving school is aggrieved by any decision of the Principal Licensing Authority under the provisions of regulation 13, he may, after giving notice to the Principal Licensing Authority of his intention so to do, appeal to the magistrate's court nearest to his place of residence and the court may allow or disallow such appeal.

*Offences*

15. Every person commits an offence who—

- (a) operates an unregistered driving school or gives driving instruction for profit without a current permit to be a driving instructor; or
- (b) not being the holder of a permit to be a driving instructor that is for the time being in force, takes or uses any name, title, addition, or description implying that he is the holder of such a permit; or
- (c) being a person carrying on the business of providing driving instruction, uses any title, addition, or description implying that any person employed by him is the holder of a permit to do so when in fact the person so employed is not the holder of a current permit; or
- (d) issues any advertisement likely to mislead as to the extent to which persons employed by him are the holders of such permits; or
- (e) being the holder of a permit of approval as a driving instructor, fails to carry such permit at all times while engaged in driving instruction; or
- (f) being the holder of a permit of approval as a driving instructor not applicable to all groups of motor vehicles, gives instruction to drive any motor vehicle in a group to which such permit does not extend; or
- (g) being an operator to whom a certificate of registration has been granted under regulation 4, fails to comply with any of the provisions of regulation 9 or 10; or
- (h) being a holder of a permit to be a driving instructor, uses a vehicle for tuition in contravention of regulation 11.

*(Amended by Legal Notice 140 of 1974.)*

*Penalty*

16. Any person convicted of an offence under these Regulations may be liable to a fine not exceeding \$50 or to imprisonment for a term not exceeding 3 months.



SECTION 86—TRAFFIC (TAXI FARES) REGULATIONS

TABLE OF PROVISIONS

REGULATION

- 1. Short title
- 2. Taxi fares
- 3. Offences and penalties

Schedule—Fares and Hire Charges

*Legal Notices Nos. 4 of 1975; 49 of 1979; 79 of 1980*

*Short title*

- 1. These Regulations may be cited as the Traffic (Taxi Fares) Regulations.

*Taxi fares*

- 2. Fares for the hire of a taxi shall be as specified in the Schedule and a copy of this Schedule shall be displayed in a prominent position within every vehicle in relation to which a taxi permit has been granted.

*Offences and penalties*

- 3. Any person contravening or wilfully failing to comply with any of the provisions of these Regulations shall be guilty of an offence and shall be liable, in the case of first conviction, to a fine not exceeding \$100 and, in the case of a second or subsequent conviction, to a fine not exceeding \$200 or to imprisonment for a term not exceeding 2 months or to both such fine and such imprisonment.

SCHEDULE  
(Regulation 2)

*(Amended by Legal Notice 49 of 1979; 79 of 1980.)*

PART I

FARES FOR HIRE OF TAXIS

- 1. *Fares for Local Journeys (Journeys of 16 kilometres or less).*
  - (a) The following shall be the maximum fares for journeys of 16 kilometres or less by taxis with taximeters:—
    - (i) Flag fall ..... 30 cents
    - (ii) For each 250 metres or part thereof after flag fall ..... 10 cents

- (b) The following shall be the maximum fares for journeys of 16 kilometres or less for taxis without taximeters:—
- (i) For the first 250 metres or part thereof ..... 40 cents
  - (ii) For each additional 250 metres or part thereof after the first 250 metres ..... 10 cents:

Provided that, in any case—

- (a) there may be added to the above maximum fares which can be charged for the journey itself, the additional charges or payments for journeys outside Viti Levu, for waiting time, for night journeys and in repayment of tolls and ferry charges incurred, all as specified in paragraph 2 of this Part;
- (b) operators may make charges which are below the maximum fares and charges.

### 2. Additional Charges

There may be added to the maximum fare which can be charged for a journey, computed as set out in paragraph 1, the following additional charges:—

- (a) *Charges for journeys outside Viti Levu*  
An additional charge of 5 cents for each separate journey may be made in respect of all journeys outside Viti Levu.
- (b) *Charges for waiting*  
Subject to sub-paragraph (a) of paragraph 3, where a taxi is required to wait for any period or periods, whether before, during or after the end of a journey, additional charges for waiting may be made at the rate of 25 cents for each 5 minutes after the first 5 minutes of each separate period of waiting time.
- (c) *Special hours rates*  
An additional charge at the rate of 25 cents for each journey may be made for the hire of taxis during the hours from midnight to 6 a.m.
- (d) *Tolls and ferry charges*  
The hirer or hirers of a taxi shall re-imburse any tolls and ferry charges necessarily incurred during a hiring. The hirer or hirers shall also re-imburse any such charges which have to be incurred in respect of the vehicle on its return journey to the place from where the hiring commenced.

### 3. Miscellaneous

- (a) *Delay by driver*  
No charge shall be made for any period during which a vehicle is delayed because of a shortage of petrol or diesel or because of any accident or as a result of a mechanical or other defect, or through any event or happening which is within the power of the driver to prevent.
- (b) *Route to be taken on journeys*  
When a taxi is hired the journey shall, whenever practical, be undertaken by the route, if any, specifically requested by the hirer and in the event of the hirer not making any such specific request by the shortest practicable route.

*(c) Journeys by taxi to a picking-up point*

Where a taxi by appointment travels to a specified place (in this paragraph referred to as "the specified place") to pick up a hirer or his luggage or goods from the specified place in order to convey him or them to another place, no charge may be raised for the journey of the taxi to the specified place and the following procedure shall be applied:—

- (i) the driver shall, on arrival at the specified place, give reasonable notice to the hirer personally of the arrival of the taxi;
- (ii) if a taximeter is affixed to the taxi, the driver shall set the taximeter in motion at the time of the giving of the notice of arrival to the hirer or at the time appointed for the arrival of the taxi at the specified place, whichever is the later, and the hiring and journey shall be regarded as commencing when the taximeter is so set in motion and no sooner; and
- (iii) if a taximeter is not affixed to the taxi, the hiring and journey shall be regarded as commencing at the time of the giving of the notice of arrival to the hirer or at the time appointed for the arrival of the taxi at the specified place, whichever is later, and no sooner.

*4. Use of taximeters*

Taximeters when fitted to taxis and being, or required to be, operated, shall be set or adjusted to record accurately the fares prescribed under this Part and shall function or operate in a manner to be approved by the Principal Licensing Authority.

## PART II

**CONTRACT HIRE (FARES FOR HIRE OF TAXIS FOR JOURNEYS OF MORE THAN 16 KM OR FOR PERIODS IN EXCESS OF 4 HOURS)**

Notwithstanding the provisions of Part I the fares or hire charges, and terms and conditions for any separate journey by a taxi of more than 16 km or the fares or hire charges, and terms and conditions for the hire of a taxi hired for a continuous separate period of more than 4 hours shall be such as shall be agreed between the hirer and the operator of the taxi.