

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4544 of 14 February, 2019

LEGAL NOTICE NO.034 OF 2019.

TRAFFIC ACT 2005

TRAFFIC (VIENNA CONVENTION) (AMENDMENT) REGULATIONS 2019

In the exercise of the powers conferred on it by sections 57, 61, 89 and 101 of the Traffic Act 2005, and all other enabling powers, and for the purposes of implementing, in part, into the law of Gibraltar, the Convention on Road Traffic of 8 November 1968 concluded in Vienna, the Government has made the following Regulations-

Title.

1. These Regulations may be cited as the Traffic (Vienna Convention) (Amendment) Regulations 2019 and come into operation on the day of publication.

Amendments to the Traffic Act 2005.

2.(1) The Traffic Act is amended in accordance with this regulation.

(2) In section 83(6) after “(whether fixed or portable)” insert “, and shall include such object’s or device’s support,”.

(3) After section 83, insert the following sections-

“Informative sign.

83A.(1) The Minister may authorise the installation of a traffic sign by a non-profit organisation.

(2) Traffic signs installed by non-profit organisations may contain the emblem of such organisation on the sign or on its support provided that such emblem does not make the sign less easy to understand or does not distract a driver of a vehicle.

Interference with traffic signs.

83B.(1) No board, notice, marking or device which may-

- (a) be confused with a traffic sign or other traffic control device;
- (b) render a traffic sign or other traffic control device less visible or effective;
or
- (c) dazzle or distract a driver in a way prejudicial to traffic safety,

shall be fixed on a road or next to a road.

(2) In this regulation “traffic sign” has the meaning attributed to it under section 83(6).

Obstruction of pavement or verge.

83C.(1) No device or equipment may be installed on a pavement or verge if it obstructs the passage of pedestrians, in particular the passage of elderly or disabled persons.”.

(4) After section 85(2) insert-

“(3) For the purposes of subsection (1), where the police officer gives an instruction which is in conflict with a road sign, traffic light signal or road marking, the instruction of the police officer is to take precedence over such road sign, traffic light signal or road marking.”.

(5) After section 85 insert-

“Priority of traffic lights.

85A.(1) Where instructions regulating priority given to drivers by traffic light signals and road signs conflict, precedence shall be given to the to the traffic light signals over the road signs.”.

Amendments to the Control of Traffic Regulations.

3.(1) The Control of Traffic Regulations are amended in accordance with this regulation.

(2) After regulation 9, insert the following regulation-

“Tunnels.

9A.(1) Where indicated by specific road signs the following subregulations shall apply.

(2) No person while driving a motor vehicle in a tunnel shall-

(a) cause such vehicle to reverse; or

(b) cause such vehicle to make a U-turn or a three point turn.

(3) No person while driving a motor vehicle in a tunnel shall stop or park such vehicle, unless there is an emergency or it would prove dangerous to continue driving.

(4) Where a person driving a motor vehicle in a tunnel is required to stop or park a vehicle under subregulation (3) the person must where available, stop or park the vehicle in the places specially indicated for such purpose.

- (5) Where a person driving a motor vehicle in a tunnel stops or parks such vehicle for a prolonged period of time, the person must switch off the engine of the vehicle.”.
- (3) After regulation 31, insert the following regulation-
- “Loads longer or wider than the vehicle.**
- 31A.(1) No person shall cause a load on a motor vehicle, in cases where the projection of such load may not otherwise be noticed by drivers of other motor vehicles, to project beyond the front, rear or sides of the vehicle without clearly marking such load in accordance with this regulation.
- (2) At night, a white light and a white reflecting device shall be used for such marking and the front and a red light and red reflecting device shall be used for the rear.
- (3) Loads projecting more than 1 metre beyond the front or rear of the vehicle shall always be marked.
- (4) Loads projecting more than 0.4 metres beyond the lateral outer edges of the vehicle’s front white side light or rear red side light shall always be marked at night.”.

Amendments to the Traffic (Licensing and Registration) Regulations.

- 4.(1) The Traffic (Licensing and Registration) Regulations are amended in accordance with this regulation.
- (2) After regulation 87, insert the following regulation-
- “Trailers not imported by road.**
- 87A.(1) Subject to subregulation (2), the provisions of the Act as to the holding of a registration certificate shall be waived in the case of a trailer or semi-trailer that is imported temporarily into Gibraltar.
- (2) Where a photocopy of the registration certificate, certified as a true copy of such certificate by the authority which issued the original registration certificate, of the trailer or semi-trailer is presented.
- (3) In this regulation “imported” means by brought into the jurisdiction other than by road transport.”.

Dated 14th February, 2019

PJ BALBAN,
Minister with responsibility for Traffic,
for the Government.

EXPLANATORY MEMORANDUM

These Regulations provide in part for the Vienna Convention on Road Traffic 1968, in particular: Article 4(d), Article 5(2), Article 6(4), Article 25 *bis*, Article 30(4) and Article 35(1)(d).