

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4995 GIBRALTAR Thursday 22nd September 2022

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LEGAL NOTICE NO. 277 OF 2022

## TRAFFIC ACT 2005

### TRAFFIC (FIXED PENALTY)(AMENDMENT NO. 2) REGULATIONS 2022

In exercise of the powers conferred upon him by sections 94A and 94C of the Traffic Act 2005, the Minister has made the following Regulations-

#### Title.

1. These Regulations may be cited as the Traffic (Fixed Penalty) (Amendment No.2) Regulations 2022.

#### Commencement.

2. These Regulations come into operation on the day of publication.

#### Amendment to the Traffic (Fixed Penalty) Regulations 2011.

3.(1) The Traffic (Fixed Penalty) Regulations 2011 are amended in accordance with this regulation.

(2) For Schedule 1 substitute –

### “SCHEDULE 1

#### FIXED PENALTY OFFENCES

DESCRIPTION OF THE OFFENCE	ENACTMENT	FIXED PENALTY (£)
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#### *CONTROL OF TRAFFIC REGULATIONS*

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|---|--|-----|
| 1. Overtaking traffic other than on the left          | Control of Traffic Regulations Regulation 3(2) | 300 |
| <i>Regulation 8(2) (50% discount) does not apply.</i> |  |     |

2.	Leaving a vehicle unattended and not drawn up to the right hand side of the road so as to permit the maximum clear passage for passing traffic.	Control of Traffic Regulations Regulation 8(a)	100
3.	Failing to indicate change of direction.	Regulation 15(1)	300
	<i>Regulation 8(2) (50% discount does not apply).</i>		
4.	Causing a vehicle or trailer to cause unnecessary obstruction of a road or obstruct the passage of traffic.	Regulation 17	100
5.	Failing to wear protective headgear	Regulations 32(1) and 32(4)	300
	<i>Regulation 8(2) (50% discount does not apply).</i>		
6.	Protective headgear not properly fastened.	Regulations 32(2)(b), 32(2)(c) and 32(4)	300
	<i>Regulation 8(2) (50% discount does not apply).</i>		
7.	Driving against the flow of traffic.	Regulation 45(1)	300
	<i>Regulation 8(2) (50% discount does not apply).</i>		
8.	Stopping a vehicle or part thereof within the limits of a pedestrian crossing.	Regulation 50	100
9.	Stopping a vehicle or part thereof within the limits of a clearway.	Regulation 53A	200
10.	Stopping a vehicle or part thereof within a box junction.	Regulation 53B	200

*TRAFFIC (PARKING AND WAITING) REGULATIONS 2011*

11.	Parking a vehicle where prohibited by a traffic sign.	Traffic (Parking and Waiting) Regulations 2011, Regulation 3(1)	100
12.	Parking a vehicle in contravention of a traffic sign.	Regulation 3(2)	100
13.	Parking without the requisite permit or failing to display the requisite permit (in accordance with the regulations) in a place indicated by signs to be for permit holders only.	Regulation 3(3)	120
14.	Parking a vehicle on a footpath.	Regulation 3(4)	100
15.	Parking a motorcycle in a space demarcated for a motor car or in between such spaces.	Regulation 3(6)	100
16.	Parking a motor car in a space demarcated for motor cycles.	Regulation 3(7)	100
17.	Parking a vehicle in a communal area.	Regulation 3(8).	100
18.	Parking a caravan in a public place not authorised therefor.	Regulation 3(9)	100
19.	Parking adjacent to the air terminal in a non-demarcated place.	Regulation 3(10)	100
20.	Parking and disrupting the free flow of traffic.	Regulation 3(11)	120
21.	Parking at a taxi rank.	Regulation 3(12)	200

22.	Waiting or parking in a loading bay.	Regulation 3(13)	100
23.	Parking at a bus stop.	Regulation 4(1)	200
24.	Parking in a manner obstructing access to a bus stop.	Regulation 4(2)	200
25.	Parking for a period exceeding the specified maximum.	Regulation 5(1)	100
26.	Parking for a continuous period exceeding 14 days.	Regulation 5(2)	100
27.	Parking in a space reserved for official vehicles.	Regulation 6(2)	100
28.	Parking a vehicle in a car park other than appropriately within the area demarcated with paint on the ground, or otherwise demarcated.	Regulation 12(1A)	100
29.	Parking or waiting with a vehicle, other than a motor vehicle, in a car park.	Regulation 12(2)	100
30.	Parking or waiting with a motor cycle, or bicycle, in a place other than one demarcated for their use.	Regulation 12(3)	100
31.	Parking a vehicle not a motorcycle in a space demarcated for motorcycles.	Regulations 13(2)	100
32.	Parking a vehicle in a demarcated place where the vehicle or part of it is outside the demarcated area.	Regulation 14(2)	100
33.	Parking in a Pay and Display Zone for a period exceeding the specified maximum	Regulation 23(1)(c)	100

34.	Parking in a Pay and Display Zone without having paid the required fee.	Regulation 23(1)(a)	100
35.	Parking in a Pay and Display Zone for without displaying the ticket as required by regulations	Regulation 23(1)(b)	100
36.	Waiting with or in any vehicle in a manner interfering with the free flow of traffic except for loading or unloading goods.	Regulation 24(1)	100
37.	Waiting with or in any vehicle at a place where waiting is prohibited by traffic signs or yellow line on the ground.	Regulation 24(2)	100
38.	Waiting with or in any vehicle adjacent to the air terminal at a place not demarcated for alighting or unloading.	Regulation 24(3)	100
39.	Waiting with a vehicle at a taxi rank.	Regulation 24(4)	200
40.	Waiting in a place reserved for official vehicles.	Regulation 24(5)	100
41.	Waiting in a bus stop or restricting access to a bus stop.	Regulation 24(6)	200
42.	Stopping in a Red Zone.	Regulation 27(3)	200
43.	Unlawful use of a disabled person's badge.	Regulation 37(6)	500
44.	Unlawfully parking or waiting in a disabled person's parking bay.	Regulation 41(3)	500
45.	Not displaying or not setting a parking clock to show the	Regulation 41A(2)	100

time in which the vehicle was parked in accordance with the regulations.

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| 46. | Parking in contravention of a time restriction specified by a traffic sign in a time restricted disabled parking bay. | Regulation 41B(2) | 100 |
| 47. | Parking in contravention of a “no return” period specified by traffic sign in a time restricted disabled parking bay. | Regulation 41C(2) | 100 |
| 48. | Leaving a derelict vehicle on the road or public place.   | Regulation 47     | 600 |

*TRAFFIC (PELICAN PEDESTRIAN CROSSINGS) REGULATIONS  
1986*

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|-----|---|---|-----|
| 49. | Stopping a vehicle or part thereof within the limits of a “pelican” crossing. | Traffic (Pelican Pedestrian Crossings) Regulations 1986, Regulation 10(1) | 100 |
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*TRAFFIC ACT 2005*

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|-----|--|--|-----|
| 50. | Speeding<br><br><i>Regulation 8(2) (50% discount) does not apply.</i>  | Traffic Act 2005<br>Section 44(1)(in conjunction with regulations 43 and 44 of the Control of Traffic Regulations) | 100 |
| 51. | Contravening a Traffic Sign  | Traffic Act 2005<br>Section 85(1)(b)   | 300 |
| 52. | Neglecting to pay the authorised parking fee or causing or permitting a vehicle to remain in a parking place after the | Traffic Act 2005<br>section 92(5)  | 100 |

expiry of the period for which payment of the fee authorises parking.

*TRAFFIC (PEDESTRIANISATION) REGULATIONS 2001*

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|-----|--|--|-----|
| 53. | Driving or parking a vehicle on a road within a Pedestrianised zone established under the Traffic (Pedestrianisation) Regulations 2001 without displaying a permit or other than in accordance with the terms of a valid permit. | Traffic (Pedestrianisation) Regulations 2001, Regulation 5     | 100 |
| 54. | Riding or parking a bicycle in a Pedestrianised Area in breach of an order under the Traffic (Pedestrianisation) Regulations 2001  | Traffic (Pedestrianisation) Regulation 2001, Regulation 5(1ZA) | 100 |

*PROHIBITION OF USE OF MOBILE TELEPHONES WHILE DRIVING REGULATIONS 2010*

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|-----|--|---|-----|
| 55. | Using a mobile telephone or device whilst driving<br><br><i>Regulation 8(2) (50% discount) does not apply.</i> | Prohibition of Use of Mobile Telephones while Driving Regulations 2010, Regulations 2(1)(a) and 3 | 300 |
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*TRAFFIC (WEARING OF SAFETY BELTS) REGULATIONS 2008*

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|-----|---|---|-----|
| 56. | Failing to wear a seat belt – driver.<br><i>Regulation 8(2) (50% discount) does not apply</i> | Traffic (Wearing of Safety Belts) Regulations 2008, Regulations 4(2)(a) and 7 | 300 |
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| 57. | Failing to wear a seat belt – passenger.<br><i>Regulation 8(2) (50% discount) does not apply.</i>                     | Regulations<br>4(2)(a) and 7 | 300 |
| 58. | Driver carrying unbelted child.<br><i>Regulation 8(2) (50% discount) does not apply.</i>                              | Regulations<br>4(2)(b) and 7 | 300 |
| 59. | Driver carrying child under 135 cms without proper restraint<br><i>Regulation 8(2) (50% discount) does not apply.</i> | Regulations<br>4(3)(b) and 7 | 300 |

*TRAFFIC (TRAFFIC LIGHTS) REGULATIONS 1986*

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|-----|---|---|-----|
| 60. | Contravening a traffic light<br><i>Regulation 8(2) (50% discount) does not apply.</i> | Traffic (Traffic Lights)<br>Regulations, 1986<br>Regulations<br>4(1)(a) and 6 (in conjunction with section 85(1)(b) Traffic Act 2005. | 300 |
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*TRAFFIC (PELICAN PEDESTRIAN CROSSINGS) REGULATIONS, 1986*

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|-----|--|---|-----|
| 61. | Contravening a traffic light (pelican crossing)<br><i>Regulation 8(2) (50% discount) does not apply.</i> | Traffic (Pelican Pedestrian Crossings)<br>Regulations, 1986<br>Regulation 8 | 300 |
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*VEHICLES (CONSTRUCTION, EQUIPMENT AND MAINTENANCE) REGULATIONS*

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| 62. | Inefficient/Defective exhaust<br><i>Regulation 8(2) (50% discount) does not apply.</i> | Vehicles (Construction, Equipment and Maintenance)<br>Regulations<br>Regulation 30(2) | 300 |
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63.	Excessive noise <i>Regulation 8(2) (50% discount) does not apply.</i>	Regulation 32	300
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**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Traffic (Fixed Penalty) Regulations 2011.