

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**
No. 3917 of 8 March, 2012

LEGAL NOTICE NO. 31 OF 2012.

TRAFFIC ACT 2005

CONTROL OF TRAFFIC (AMENDMENT) REGULATIONS 2012

In exercise of the powers conferred on him by section 80 of the Traffic Act 2005, and all other enabling powers, the Minister has made the following regulations—

Title and commencement.

1. These regulations may be cited as the Control of Traffic (Amendment) Regulations 2012 and come into operation on 10th April 2012.

Amendments to the Control of Traffic Regulations.

2. The Control of Traffic Regulations are amended by revoking regulation 32 and substituting the following—

“Wearing of protective headgear.

32. (1) Every person driving or riding (other than in a side-car) on a motorcycle or moped when on the road shall wear protective headgear.

(2) In this regulation—

“motorcycle and “moped” means a motor vehicle as defined in the Traffic Act;

“protective headgear” means headgear which—

(a) subject to sub-regulation (3), is either—

(i) a helmet bearing the British Standard BS 6688: 1985 (and marked with the British Standard ‘kite mark’);

- (ii) a helmet conforming to the UNECE Regulation 22.05 and marked with the UN 'E' mark- the first two digits of the approval number being '05'; or
 - (iii) a helmet that complies with any standard accepted by a member of the European Economic Area which offers a level of safety and protection equivalent to BS 6658: 1985 and carrying a mark equivalent to the BSI 'kitemark'; and
- (b) a "full-face", "open face", "moto-cross" or "modular" helmet that is to say a helmet offering protection to the ears, and cheeks with or without a visor; and
- (c) of the proper fit to ensure that it will not come off should the motorcycle suddenly accelerate or stop and is securely fastened.
- (3) Protective headgear known as a "half-head helmet", that is to say a helmet which covers only the top half of the head and offers no protection to the ears, cheeks and chin is not permitted even if it falls under sub-regulation 2(a)(i), (ii) or (iii) above.
- (4) A person who fails to comply with the provisions of this regulation is guilty of an offence and is liable on summary conviction to a fine at level 1 on the standard scale.
- (5) The Minister may except from the provisions of this regulation persons participating in a specific event such as a rally of motor-cycles."

Dated 8th March, 2012.

P J BALBAN,
Minister with responsibility for traffic.

EXPLANATORY MEMORANDUM

These regulations provide that all motor-cycle helmets in Gibraltar must be or equivalent to the British or UN Standard. Helmets known as “half head helmets” (“quita multas”) will no longer be permitted. They also provide for exemption in the case of a particular event such as a motor-cycle rally.

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