

[LEGAL NOTICE NO. 64]

LAND TRANSPORT ACT 1998
(No. 35 OF 1998)

LAND TRANSPORT (TRAFFIC) REGULATIONS 2000

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PURSUANT to section 113 of the Act and after consultation with the Land Transport Authority, I make these Regulations -

Part I — PRELIMINARY

Citation and commencement

1. These Regulations may be cited as Land Transport (Traffic) Regulations 2000, and comes into force on 10th July, 2000.

Interpretation

2. In these Regulations, unless the context otherwise requires—

- 'carriage-way' means a part of the public street reserved for the movement of vehicles;
- 'central traffic island' means a reservation in the centre of a roundabout;
- 'child restraining device' means a device approved under regulation 28;
- 'city or town' means a town constituted under the provisions of the Local Government Act or any other built-up area for which traffic signs have been provided to reduce the maximum permissible speed of motor vehicles;
- 'footpath' means the part of the public street provided to be used by pedestrians and includes a footpath, lane, thoroughfare, or any other part of the public street habitually used by pedestrian and not by vehicle;
- 'intersection' means in relation to two intersecting or meeting streets, the area contained within the projections of the lateral boundaries of each public street, the boundaries generally being those shown on a plan of land tenure;
- 'kg' means kilogram;
- 'km/h' means kilometres per hour;
- 'm' means metres;
- 'markings' mean a line or raised marker marked or placed on the carriage-way for the direction or management of vehicles;
- 'median' means an area of strip of land or object which—
 - (a) separates the carriage-way in a public street;
 - (b) separates a carriage-way and the footpath in a public street; or
 - (c) lies between the carriage-ways of that street;

'motor cycle' means a motor vehicle designed to travel on two wheels and having an unladen mass not exceeding 410kg;

'one way street' means a public street with a carriage-way designed or configured for traffic in one direction only;

'pedestrian' means a person on foot on a public street and includes a person on a tricycle, scooter, roller skates, skateboard, any other device designed principally for use by children at play, any baby in a pram or a person in a wheel chair;

'prescribed fee' means the fee prescribed in Schedule I to the Land Transport (Fees and Penalties) Regulations;

'reservation' means an area of strip of land or object which—

(a) separates a carriage-way and the footpath of a public street; or

(b) lies between the footpath of that street, and the boundary of that street, and includes a nature strip;

'road sign' means a road sign specified in Parts I, II, III and V and includes any other sign specified in a code of practice;

'road marking' means a road marking specified under Part IV of the Schedule;

'roundabout' means an intersection laid out or constructed to provide for the movement of vehicles in a clockwise direction around a central traffic island;

'traffic island' means an area of strip of land or any other structure or object that is part of the traffic management of that street for the purpose of guiding motor vehicles but does not include a road sign or marking;

'two way street' means a public street with a carriage-way designed or configured for traffic in two directions;

'U-turn' means a turn made by a driver so that the driver's vehicle faces approximately the opposite direction from which the vehicle was facing immediately before the turn was made, but does not include a turn made at a roundabout.

Part II — MOVEMENT AND PARKING

Division 1 — General

Keeping to the left

3.—(1) The driver of a vehicle must—

(a) keep the vehicle as close as practicable to the left or near side of the carriage-way, except when—

(i) making, or about to make, a right-hand turn in accordance with regulation 14; or

(ii) the left portion of the carriage-way is closed to traffic;

- (b) keep the vehicle to the left of the centre of a two-way street or carriage-way, except when—
 - (i) overtaking any vehicle proceeding in the same direction, subject to regulation 37;
 - (ii) the left side of the carriage-way is closed to traffic;
 - (iii) following the direction of a directional arrow or any other road marking pursuant to regulation 73(2) or a lane control light signal;
 - (iv) making a right-hand turn in accordance with regulation 14 or a U-turn in accordance with regulation 17; or
 - (v) there is reasonable cause for not doing so.
- (c) keep the vehicle to the left of the central traffic island when driving through a roundabout;
- (d) not drive the vehicle so that any portion of the vehicle is on, over, or to the right of the centre of the carriage-way if the driver's view of the road ahead is not sufficiently clear for the driver to do so with safety, subject to regulation 73.

(2) If the carriage-way has 2 or more lanes in one direction, a person need not drive in the left lane except as provided under sub-regulation (3).

(3) If a road sign No. 4 or 7 specified in Part I and II of the Schedule is displayed or in operation, the driver of a vehicle must comply with the sign except when overtaking a vehicle travelling in the same direction.

(4) The road sign No. 4 or 7 specified in Part I and II of the Schedule operates in a section of a public street from the first occurrence of the sign until—

- (a) the occurrence of a road sign indicating the first sign is no longer in operation;
- (b) the carriage-way narrows to one traffic lane in the direction of travel;
- (c) 100m from a signalised intersection or roundabout; or
- (d) 100m from an intersection where the approaching traffic is controlled by a 'Stop' or 'Give Way' sign.

Overtaking and being overtaken

- 4. Subject to regulations 3(1)(d) and 73, the driver of a motor vehicle—
 - (a) when overtaking another vehicle proceeding in the same direction—
 - (i) must pass on the right or offside of the other vehicle except when the other vehicle is making a right-hand turn in accordance with regulation 14;
 - (ii) must pass to the left or near side of that vehicle when the other vehicle is about to make or is making a right-hand turn in accordance with regulation 14; or

- (iii) when the other vehicle is travelling in a lane other than the left lane of a carriage-way, as provided for in regulation 3(2), may pass on the left or near side of that vehicle;
- (b) must not drive in front of the other vehicle until it is reasonably safe to do so after overtaking another vehicle proceeding in the same direction;
- (c) when being overtaken by another vehicle proceeding in the same direction—
 - (i) must allow the other vehicle to pass in accordance with these Regulations; and
 - (ii) must not increase the speed of the vehicle until the other vehicle has completely passed;
- (d) must not drive the vehicle abreast of another vehicle proceeding in the same direction, but must keep the vehicle in single line until he or she has the opportunity of overtaking the other vehicle.

Passing

5. Subject to regulation 14(2) the driver of a vehicle must, when meeting another vehicle approaching from the opposite direction, pass to the left hand side of the other vehicle.

Long vehicles in tandem

6.—(1) The driver of a long vehicle must, when following another long vehicle, keep the vehicle at a distance of not less than 60m behind the other vehicle, except when overtaking in accordance with these Regulations or when the other vehicle stops or accelerates from being stopped.

(2) Sub-regulation (1) does not apply in a town or city or on any public street the surface of which is divided by lines delineated into 2 or more traffic lanes reserved for vehicles proceeding in one direction.

- (3) For the purpose of this regulation, "long vehicle" means a motor vehicle—
- (a) that has a gross vehicle mass of more than 5 tonnes;
 - (b) that is designed to carry more than 20 passengers including the driver;
 - (c) with a trailer attached; or
 - (d) having a length in excess of 9.5m.

Towing disabled vehicles

7.—(1) Subject to sub-regulation (2), no person may drive or use or cause or permit to be driven or used a motor vehicle drawing another motor vehicle which has broken down or is otherwise incapable of being driven with safety unless—

- (a) the rope, cable, chain or any other material used for towing purposes has a length not more than 4.5m;
- (b) the distance from the front of the towing vehicle to the rear of the towed vehicle is not more than 24m;

- (c) no passengers are carried in the towed vehicle; and
- (d) both the towing vehicle and the towed vehicle operate amber hazard warning lights if the lights are fitted and operational in addition to the lamps required by regulation 32.

(2) No articulated vehicle may be towed or used to tow another vehicle.

(3) A person who is controlling the towed vehicle is regarded as the driver of the towed vehicle.

Driving backwards

8.— (1) No person may drive a motor vehicle backwards on a public street unless —

- (a) it is necessary to do so;
- (b) the person has taken reasonable and proper precautions to avoid a collision;
- (c) the necessary portion of the street is clear of other traffic; and
- (d) for a greater distance or time than is reasonable.

(2) No person may drive a motor vehicle backwards in or across any intersection or junction, except in the case of emergency.

Division 2 — Giving Way

Giving way to the right

9. If 2 or more vehicles are approaching the same place in a manner, and on a course, or at a speed, that if the vehicles continued in that manner, on that course, or at that speed, as the case may be that the vehicles might collide or create a dangerous situation, the driver of a vehicle who has any other vehicle on his right must slow down or stop and allow the other vehicle to proceed, except as otherwise prescribed by traffic signs, signals or road markings or regulation 10.

Giving way at T-junctions

10. When approaching a T-junction from a terminating carriage-way, the driver of a motor vehicle must give way to any vehicle on the through street or carriage-way, at which the first-mentioned carriage-way terminates, unless complying with any traffic sign, signal or road marking.

Giving way when entering a public street

11. When entering a public street from a private road, entrance or driveway, the driver of a motor vehicle must give way to any vehicle in the public street which the driver is entering.

Giving way to emergency vehicles

12. When approaching or being passed by an ambulance, police vehicle or fire engine which is sounding or displaying emergency signals, the driver of a motor vehicle must cause his or her vehicle to be brought to a standstill in accordance with regulation 18 or otherwise give way to the emergency vehicle.

Giving way to buses

13.—(1) The driver of a vehicle when approaching a bus which is to the left of the through carriageway must give way to the bus when the driver of the bus indicates with the right hand signal indicator that he or she is about to enter the carriageway.

(2) The driver of a bus entering a carriageway must do so with due care and consideration for a motor vehicle already on the carriageway.

*Division 3 — Turning**Making a right hand turn*

14.—(1) When about to make a right turn from one public street into another public street other than at a roundabout or from a public street into a private road, entrance, or driveway the driver must—

- (a) if the street which the driver is about to leave is a two-way street - drive the vehicle so that it is as near as practicable to and to the left of the centre-line of the street which he or she is leaving; or
- (b) if the street which the driver is about to leave is a one-way street - drive the vehicle so that it is as near as practicable to the right hand boundary of the carriage-way which he or she is leaving.

(2) When making a right turn from one public street to another public street or from a public street into a private road, entrance, or driveway, the driver of a vehicle must make the right turn so that the vehicle—

- (a) if practicable - passes to the right of the centre of the intersection; and
- (b) if the driver leaves the intersection and enters—
 - (i) a two-way street - the vehicle is as near as practicable to the left side of the centre-line of that carriage-way;
 - (ii) a one-way street - is as near as practicable to the right-hand boundary of that carriage-way; or
 - (iii) a private road, entrance or drive way - turn as required by subparagraph (ii) or (iii) dependent on whether the private road, entrance or drive way is intended to operate as two-way or one-way.

(3) The driver of a vehicle, who intends to turn to the right or is turning to the right, must give right of way to any other vehicle that is approaching from the opposite direction.

(4) If a driver is permitted or required by regulation 73 to make a right turn from the right-hand boundary of the carriageway other than the lane nearest to the centre of the carriage-way, or a turn from a one-way carriage-way —

- (a) the driver of a vehicle in a lane nearer or nearest the centre of the carriage-way or the right-hand boundary of the carriage-way, must cause the vehicle to remain to the right of any vehicle turning right from a lane to the left of that from which such driver entered the intersection; and

- (b) the driver of a vehicle in any other lane must cause the vehicle to remain to the left of any vehicle turning right from a lane to the right of that from which that the driver entered the intersection.

Making a left hand turn

15.—(1) When the driver of a vehicle is about to turn to the left from one public street into another public street other than at a roundabout or from a public street into a private road, entrance, or driveway, the driver must drive the vehicle so that when it reaches the intersection it must be on the left hand side of any vehicle proceeding in the same direction and as near as practicable to that boundary of the carriage-way which is to his or her left.

(2) If the driver of any other vehicle makes a left turn from one public street into another at an intersection, the driver must take adequate precautions to avoid danger of his or her vehicle colliding with any pedestrian, vehicle or animal that may be crossing the intersection.

(3) Notwithstanding sub-regulations (1) and (2), if the driver is permitted or required by regulation 73 to make a left turn from another lane other than the lane nearest to the left boundary of the carriage-way—

(a) the driver of any other vehicle in a lane nearer or nearest to the left boundary of the carriage-way must cause the vehicle to remain to the left of any vehicle turning left from a lane to the right of that from which such driver entered the intersection; and

(b) the driver of a vehicle in any other lane must cause the vehicle to remain to the right of any vehicle turning left from a lane to the left of that from which the driver entered the intersection.

Negotiating a roundabout

16.—(1) When driving a vehicle through an intersection controlled by a roundabout, the driver must approach, enter, negotiate and leave the intersection in accordance with this regulation.

(2) If the driver of a motor vehicle intends to leave at an exit less than half way around the roundabout the driver must—

(a) if the exit is the first exit - give a signal conforming with regulation 37 indicating a turn to the left; and

(b) if the approach has two or more lanes for traffic travelling in the same direction, subject to regulation 74 - approach and enter the roundabout in the left hand lane.

(3) If the driver of a motor vehicle intends to leave at an exit more than half way around the roundabout the driver must—

(a) give a signal conforming with regulation 37 indicating a turn to the right; and

(b) if the approach has two or more lanes for traffic travelling in the same direction, subject to regulation 73, approach and enter the roundabout in the

right hand lane, and change to the left hand lane after indicating in the left direction and when required and safe to do so to leave the roundabout from the left hand lane.

- (4) On entering a roundabout, the driver of a motor vehicle must—
 - (a) proceed in a clockwise direction around the central island; and
 - (b) if such roundabout is marked with two or more lanes—
 - (i) enter the lane corresponding with the lane in which the driver approached the roundabout; and
 - (ii) proceed to negotiate the roundabout pursuant to regulation 73.

(5) The driver of a motor vehicle that is incapable of complying with this regulation due to the physical characteristics of the motor vehicle and roundabout, either separately or in combination, must approach, enter, negotiate and leave the intersection—

- (a) taking adequate precautions to avoid danger of the vehicle colliding with a pedestrian who, or any other vehicle or animal in charge of a person which, may be upon any portion of the intersection; and
- (b) giving the signals required by regulation 37.

Making a U-turn

17.—(1) The driver of a vehicle must not cause the vehicle to make a U-turn—

- (a) so that it crosses any separation line or any unbroken line marked along a carriage-way; or
- (b) at any intersection at which any traffic control signal light is installed, unless such signal light incorporates a U-turn phase and indicates accordingly.

(2) If the driver of a vehicle is about to make or is making a U-turn must and there is a danger of a collision between the vehicle and any other vehicle or a likelihood of the vehicle interfering with the free movement of traffic stop the vehicle until the vehicle can be turned safely or without interfering with the free movement of traffic, the driver must wait until it is safe to make the U-turn.

(3) Sub-regulation (2) is in addition to any requirement under regulation 37(1).

Division 4 — Stopping and Parking

Bringing a vehicle to a standstill

18.—(1) The driver of a vehicle must, when bringing the vehicle to a standstill—

- (a) in the case of a two-way street or dual carriage-ways - keep to the left side of the carriage-way; or
- (b) in the case of a one-way street - keep to the left side or right side of the carriage-way, and
- (c) keep the vehicle close to the side of the street and parallel to it, except if angle parking is provided; or

(d) park the vehicle within the space marked for parking.

(2) The driver of a vehicle must not leave the vehicle unattended if it was brought to a standstill in a position contrary to the requirements of sub-regulation (1).

(3) Sub-regulation (1) does not apply if a vehicle is being brought to a standstill pursuant to regulations under this Part, Part IV or V.

Stopping abreast

19. No driver must bring a vehicle to a standstill abreast of any other vehicle except—

- (a) when the person does so by reason of a stoppage in the traffic and proceeds as soon as circumstances permit;
- (b) at an intersection or a junction or a pedestrian crossing, school or railway level crossing at which two or more lanes are marked for traffic travelling in the same direction; or
- (c) when in the process of entering a vacant parking space.

Illegal parking

20.—(1) No person may, unless approved by the Authority—

- (a) leave a vehicle unattended in a position as to obstruct the traffic or cause unreasonable inconvenience to a person;
- (b) cause or permit a vehicle to be wholly or partly on a constructed footpath except to cross that footpath by the shortest route;
- (c) cause or permit a vehicle to be wholly or partly on a median, traffic island or reservation;
- (d) leave a vehicle standing, either attended or unattended, on the carriage-way when the person can leave the vehicle standing off the carriage-way;
- (e) leave a vehicle standing, or stop a vehicle, unless the vehicle is visible at least 50m away to traffic approaching on a road from any direction;
- (f) leave a vehicle standing within 1.5m of a fire hydrant or fire plug unless the vehicle is attended by a person who can lawfully drive the vehicle;
- (g) leave a vehicle standing in a public street, within—
 - (i) 18m on the approach side, or 6m, on the departure side, of—
 - (A) a sign indicating the presence of a stopping place for an omnibus;
 - (B) where 2 of those signs are erected, the sign nearest the departure side of the stopping place; or
 - (C) lines delineated in conjunction with a sign indicating the presence of a stopping place for an omnibus;
 - (ii) 18m of any rail of a railway at a place where that railway is crossed on the level by a public street;

- (iii) 6m of an intersection;
- (iv) 9m on the approach side, or 6m on the departure side, of a pedestrian crossing provided under these Regulations;
- (v) 18m on the approach side, or 9m on the departure side, of a school crossing provided under these Regulations;
- (vi) 18m on the approach side, or 9m on the departure side, of—
 - (A) an intersection controlled by traffic light signals; or
 - (B) traffic control light signals other than at an intersection;
- (h) leave a vehicle standing on a street unless a clear and unobstructed width of not less than 3m of the carriage-way in that street is left for the passage of other vehicles;
- (i) cause or permit a long vehicle to stand on the carriage-way of a public street in a city or town for more than one hour, except with the permission of the Authority and subject to the conditions or restrictions (if any) imposed or specified by the Authority in relation to that permission;
- (j) drive a vehicle into an intersection or a junction unless there is sufficient space on the roadway immediately beyond the intersection or junction to accommodate the vehicle without obstructing the lawful passage of other vehicles or pedestrians crossing the intersection or junction, notwithstanding the instruction of any traffic control light signal, sign, or marking to proceed;
- (k) cause or permit any vehicle to stand—
 - (i) across or partly across a passage, thoroughfare, lane, foot-crossing, vehicular entrance to a street or private road, or driveway; or
 - (ii) on any intersection or junction;
- (l) leave a vehicle on a part of a public street if a prohibition or restriction on parking or stopping is in force.

(2) The occupier of a private residence may cause or permit a vehicle owned by him or her or in his or her custody or control, to stand across a vehicular entrance, private road, or driveway leading only to his or her residence;

(3) No highway authority or other authority may establish a parking area within the limits defined in sub-regulation (1) except with the approval of the Authority.

Leaving a vehicle unattended

21. A person must not leave a motor vehicle unattended on a public street—

- (a) with the engine running;
- (b) unless the brake is applied in a manner to prevent the vehicle from moving;
or

- (c) at a distance of less than one metre from any other vehicle except where angle parking is permitted;

Reserved stopping areas

22. No person may stop a vehicle in a reserved stopping area except—

- (a) in the case of a loading zone—a goods vehicle only for the purpose of loading or unloading goods;
- (b) in the case of a space reserved for omnibus stops or stands—a bus on a route service only for the purpose of allowing passengers to board or alight;
- (c) in the case of a space reserved for taxis—a taxi;
- (d) in the case of a goods vehicle stand—a goods vehicle approved by the city or town council to use the stand;
- (e) in the case of a carrier or minibus stand—a carrier or minibus approved by the city or town council to use the stand.

Stopping of buses

23. The driver of an omnibus must stop the omnibus for the purpose of picking up or setting down passengers—

- (a) in a town or city within 250m; or
 - (b) outside a town or city within 500m,
- of a place designated as a bus stop in accordance with the appropriate code of practice.

Division 5 - Speed

Speeding

24.—(1) Subject to sub-regulation (2), a person must not drive a vehicle on a public street—

- (a) in a city or town at speed exceeding 50km/h;
- (b) outside a city or town at a speed exceeding 80 km/h.

(2) If road sign No. 9 specified in Parts I and II of the Schedule is erected in a public street, a person must not, on reaching or passing that sign, drive a vehicle on the public street in which the sign is erected at a speed exceeding the number of kilometres per hour indicated by the numerals on that sign until reaching a road sign No. 9 which displays a different number of kilometres per hour or as may otherwise be provided for in regulation 55.

(3) This regulation does not—

- (a) authorise the driver of a vehicle to breach regulation 61(4); or
- (b) limit the operation of a speed restriction prescribed elsewhere in these Regulations or provided in a permit or exemption issued by the Authority pursuant to these Regulations.

(4) Different penalties may be prescribed for offences under this regulation in which a driver exceeds the speed limit by—

- (a) less than 15 km/h;
- (b) 15 km/h or more but less than 30 km/h; or
- (c) more than 30 km/h.

(5) No person must drive any motor vehicle at a greater speed other than that prescribed for that class of vehicle as follows—

- (a) private motor vehicles, light goods vehicles not exceeding 2,035 kg net weight, taxis, hire vehicles and rental vehicles—
 - (i) when not drawing a trailer 80 km per hour 80 km per hour
 - (ii) when drawing a trailer – the gross weight of which does not exceed 2,035 kg 50 km/h
 - (iii) when drawing a trailer – the gross weight of which exceeds 2,035 kg 35 km/h
- (b) light goods vehicles over 2,035 kg net weight but not exceeding 3,050 kg net weight—
 - (i) when not drawing a trailer 60 km/h
 - (ii) when drawing a trailer – the gross weight of which does not exceed 2,035 kg 50 km/h
 - (iii) when drawing a trailer – the gross weight of which exceeds 2,035 kg 35 km/h
- (c) goods vehicles over 3,050 kg net weight—
 - (i) when not drawing a trailer 60 km/h
 - (ii) when drawing a trailer which does not exceed 1,525 kg gross weight 40 km/h
 - (iii) when drawing a trailer which does not exceed 1,525 kg gross weight 35 km/h
 - (iv) when drawing more than one trailer 25 km/h
- (d) carriers, mini-buses and omnibuses 60 km/h

Exemption from speed limits

25.—(1) Regulation 24 does not apply to the driver of—

- (a) a vehicle, used in fire services when proceeding to control a fire;
- (b) an ambulance when being used for emergency ambulance work;
- (c) a vehicle used by a police officer when proceeding to make an arrest or in connection with the detection, suppression, or prevention of offences against the law; or

(d) any other vehicle when used to preserve human life.

(2) A driver of a vehicle specified in sub-regulation (1) must—

(a) ensure that all warning devices are in operation; and

(b) exercise caution at all times in order to avoid collision with other vehicles or pedestrians.

Detectors of speed measuring devices

26. No person may drive or cause or permit to be driven, a motor vehicle on a public street equipped with or carrying inside the cabin a device capable of being used for the purpose of detecting, or interfering with, electromagnetic radiations from a speed measuring device on a frequency between 10.50 and 10.55 gigahertz.

Part III — USE OF VEHICLES AND EQUIPMENT

Division 1 — Safety Equipment

Seat belts

27.—(1) A person who is 8 years or over seated in a motor vehicle that is in motion must—

(a) wear the seat belt provided; and

(b) the seat belt must be properly adjusted and securely fastened.

¹ (2) A person 8 years or and over must not be seated as a passenger in a motor vehicle that is in motion in seat which is not fitted with a seat belt unless—

(a) each seat for which a seat belt is provided is occupied by another person; or

(b) the person is seated in a position behind the front seat of the vehicle and there is no available rear seating position fitted with a seat belt.

(3) Sub-regulations (1) and (2) do not apply to—

(a) a person driving a motor vehicle backwards; or

(b) a person carrying a certificate issued by the Authority certifying that sub-regulation (1) does not apply to the person because—

(i) the person is exempted by the Authority for reasons and conditions stated in the certificate; or

(ii) the Authority is satisfied, on a certificate of a registered medical practitioner, that because of medical unfitness or physical disability it is impracticable, undesirable, or inexpedient that that person wears a seat belt.

(4) It is a defence for the driver of a taxi to establish that he or she had reasonable cause to believe that he or she was at risk of physical injury from a passenger and that complying with this regulation may have contributed to the risk.

(5) The driver of a vehicle must ensure that—

- (a) he or she and any passenger under 16 years are wearing seat belts or child restraining devices in accordance with these Regulations; and
- (b) any passenger who is 16 years or over is wearing a seat belt in accordance with these Regulations.

Restraining devices for children

28.—(1) No person may drive or cause or permit to be driven a motor vehicle equipped with a rear seat while a child under the age of 8 years is in a front seat position unless the child is properly restrained by a child restraining device.

(2) A child restraining device must—

- (a) be of a type appropriate to the age, weight and size of the child;
- (b) be approved by the Authority; and
- (c) be properly secured in the vehicle in accordance with the manufacturers instructions.

(3) No person may drive or cause to be driven a motor vehicle equipped with an available child restraining device in a rear seat unless any child under the age of 8 years is properly restrained by the device.

Non-approved seat belts and devices

29.—(1) No person may—

- (a) sell or offer for sale a seat belt or child restraining device which is not of a type approved by the Authority; or
- (b) fit or allow to be fitted a seat belt or child restraining device which is not of a type approved by the Authority.

(2) A person who fits or allows to be fitted or offers for sale a seat belt or child restraining device must establish or be satisfied that the seat belt or the device is of a type approved by the Authority.

(3) A police officer or an authorised officer may issue a defect order under regulation 106 of the Land Transport (Vehicles Registration and Construction) Regulations 2000 for any seat belt or child restraining device which does not comply with this regulation, or regulation 28 of these Regulations or regulation 45 of the Land Transport (Vehicles Registration and Construction) Regulations 2000.

Motor cyclists helmets

30. No person may ride on a motor cycle unless the person is wearing a safety helmet of a type approved by the Authority and the helmet is of the correct size and is securely fastened.

Non-approved helmets

31. A person who uses, sells or offers for sale a motor cyclists helmet other than a helmet of a type approved by the Authority commits an offence.

Division 2 — Lamps and Signals

Lamps to be lighted

32. When ambient light conditions, either due to time of day or atmospheric conditions, are such that the visibility of or the visibility from a motor vehicle or trailer would be enhanced by the use of lamps, a person must not drive or use on, or permit to be driven or used on, a public street, a motor vehicle or trailer unless all headlamps, tail lamps, front marker lamp and clearance lamps required by these Regulations or the Land Transport (Vehicles Registration and Construction) Regulations 2000 to be fitted, are lighted.

Parked vehicles to display lights

33.—(1) When ambient light conditions, either due to time of day or atmospheric conditions, are such that the visibility of a motor vehicle or trailer would be enhanced by the use of lamps, a person must not cause or permit to stand in a public street a motor vehicle or trailer unless all tail lamps, front marker lamps and clearance lamps required by these Regulations or the Land Transport (Vehicle) Regulations to be fitted, are lighted.

(2) Sub-regulation (1) does not apply to a vehicle that—

- (a) is not on the carriageway; or
- (b) is under or near a lighted street lamp that illuminates the street so as to render the vehicle clearly visible and to remove any risks of accident by collision or otherwise due to the motor vehicle or trailer not being clearly visible.

Use of spotlights and foglamps

34.—(1) No person may cause or permit a spotlight or searchlight affixed to, or carried in or on, a motor vehicle, trailer or semi-trailer on a public street to be lighted, unless—

- (a) the vehicle is stationary and the spotlight or searchlight is lighted and used only for the purpose of examining the machinery, or making adjustments or repairs to a vehicle and the light is not projected more than 6m;
- (b) the spotlight or searchlight is lighted temporarily for the purpose of reading a notice-board or house-number or for a similar purpose;
- (c) the vehicle is being driven or used by a police officer in the execution of his or her duty; or
- (d) the vehicle is being used by or on behalf of the State or an instrumentality of the State or a local authority in connection with its functions.

(2) For the purposes of sub-regulation (1), a spotlight or searchlight is deemed to be carried in or on a vehicle, if it is attached to a battery or generator or other source of power that is carried in or on that vehicle.

(3) A person may affix a foglamp to a motor vehicle for the purpose of driving in a fog or mist.

Use of emergency lamps

35.—(1) Subject to sub-regulation (2), (3) or (4), no person may drive or use on, or cause or permit to be driven or used on, or cause or permit to stand in, a public street a motor vehicle or trailer showing—

(a) a red, blue, or amber light in the direction in which the vehicle or trailer is facing or proceeding;

(b) a flashing or rotating red, amber or blue light.

(2) A vehicle—

(a) owned and operated by an organisation providing fire services when proceeding to a fire or alarm of fire; or

(b) being used as an ambulance on ambulance work,
may show a flashing or rotating red light when it is being driven or is standing, in a public street.

(3) Any of the following vehicles used by police officers may show a fixed, flashing, or rotating blue light or combination blue and red light—

(a) a vehicle when proceeding to, or while at the scene of, an accident;

(b) suppressing, or preventing offences against the law; or

(c) a vehicle being used for escort duties involving conditions hazardous to other road users.

(4) A vehicle fitted with an amber flashing or rotating light pursuant to regulation 68 of the Land Transport (Vehicles Registration and Construction) Regulations 2000—

(a) that is stationary and is in a hazardous position; or

(b) that is proceeding or manoeuvring in the immediate vicinity of the place at which the vehicle has been required to attend to remove a disabled vehicle or to carry out a prescribed purpose,

may show a flashing or rotating amber light in addition to (but not in lieu of) the lights prescribed to be fitted to it by these Regulations.

(5) A vehicle approved by the Authority to use flashing or rotating amber lights must be operated according to the conditions determined by the Authority.

Dipping headlamps

36.—(1) A person who is driving or in charge of a motor vehicle must, when another vehicle is approaching and is visible in front within a distance of 200m between sunset and sunrise—

(a) ensure that the high beams are switched OFF and that the low beams are switched ON;

(b) maintain the headlamps in that condition until the other vehicle has passed.

(2) A person who is driving or in charge of a motor vehicle must, when travelling in the same direction as another vehicle visible in front within a distance of 200m—

- (a) ensure that the high beams are switched OFF and that the low beams are switched ON;
- (b) maintain the headlamps in that condition until the other vehicle has passed or the distance is greater than 200m.

Signals to be given

37.—(1) The driver of a vehicle must not leave the traffic lane in which he or she is travelling or turn at an intersection or into a private road, entrance or driveway or otherwise change direction or decelerate sharply or come to a stop without giving a signal specified in this regulation.

(2) The driver of a vehicle who is about to leave the traffic lane in which he or she is driving, to turn at an intersection or into a private road, entrance or driveway or otherwise change direction or decelerate sharply or come to a stop must signal his or her intention of so doing at such time as to give reasonable warning to drivers following or to approaching traffic.

(3) A signal required by this regulation must be given by means of the turn signal lamps or stop lamps fitted in accordance with these Regulations and the Land Transport (Vehicles Registration and Construction) Regulation 2000.

(4) If a vehicle is standing close to the side of the road in a public street, the driver of the vehicle must—

- (a) before moving the vehicle, signal his intention to do so by giving the signal for turning to the right or left, as the case may be, as prescribed by this regulation; and
- (b) at all times before and while moving the vehicle, take all reasonable and proper precautions to avoid a collision.

(5) The driver of a vehicle who uses signal lamp equipment for the purposes of this regulation must not permit the equipment to remain in operation after the completion of a manoeuvre in respect of which the equipment was put into operation.

Use of lamps to warn drivers

38. No person may flash or use any lamps fitted to the vehicle for the purpose of warning approaching drivers of the presence of police or authorised officers engaged in traffic regulation enforcement.

Division 3 — Passengers and Loads

Carrying of excess passengers

39.—(1) No person may drive or cause or permit to be driven a motor vehicle with passengers located in positions other than positions approved by the Authority, the number

of which must be indicated on the certificate of registration, except as may be indicated on a current permit issued pursuant to this regulation by the Authority and subject to the conditions of the permit.

(2) An owner of a vehicle or his or her agent may apply to the Authority for a permit to operate a vehicle with passengers in excess of the number specified in the certificate of registration.

(3) A permit issued under sub-regulation (2) may—

(a) authorise the number of passengers in excess of the number specified in the certificate of registration, to be accommodated in such manner and subject to conditions and provisions necessary for the protection and safety of the passengers; and

(b) be issued for a specified journey or for a specified period or both.

(4) A permit issued under sub-regulation (3) must—

(a) be carried by the driver of a vehicle to which the permit relates; and

(b) be produced on demand to police officer or authorised officer.

Vehicle occupants to be totally within the vehicle

40. No person, while driving or travelling in or on a motor vehicle (other than a motor cycle) on a public street may permit any part of his or her body or limbs—

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

(b) to extend or protrude beyond or through any external door, window, or other opening of the vehicle without lawful and reasonable excuse;

(c) to extend or protrude beyond or hang over a side, or the front, rear, or any other external portion, of the vehicle.

Passengers on motor cycles

41.—(1) In this regulation 'passenger' means a person other than the driver riding on a motor cycle and no person may be a passenger on a motor cycle except as provided for in this regulation.

(2) Subject to sub-regulation (3), one passenger may ride on a motor cycle if—

(a) the passenger rides astride the motor cycle behind the driver on a seat provided for the purpose; and

(b) the motor cycle is equipped with foot rests to accommodate a passenger which comply with the provisions of regulation 97 of the Land Transport (Vehicles Registration and Construction) Regulations 2000.

(3) No person under the 8 years may be carried on a motor cycle unless the motor cycle is fitted with not more than one additional seat approved by the Authority specifically designed to carry a child.

Visibility not to be restricted

42. No person may drive, or use or cause or permit to be driven or used, a vehicle on a public street if it is covered, constructed, equipped, or loaded, or has anything affixed to prevent the driver from—

- (a) having a sufficient view of traffic following, on either side of, and in all directions in front of, the vehicle either directly or by means of a mirror; or
- (b) giving the signals and displaying the lights required by these regulations in a manner as to be discernible to traffic following, on either side of, or in front of, the vehicle.

Vehicles to be properly loaded

43. No person may drive, or use, or cause or permit to be driven, or use any vehicle—

- (a) that does not comply with the relevant code of practice concerning the securing of loads;
- (b) that is loaded in a manner likely to cause an accident or injury to any person or property in a public street;
- (c) if its load—
 - (i) is not safely and securely fastened;
 - (ii) is so placed that danger is or may be caused to any person or property by reason of the load or any part of it falling from the vehicle or shifting or moving in relation to the vehicle; or
 - (iii) is not fastened to prevent flapping or swaying of the load, or
- (d) on which sand, soil, rocks, stones, gravel, sawdust, bagasse, or similar material is being carried, unless adequate precautions have been taken to prevent any portion of that material from falling or being blown from the vehicle.

*Division 4 — Miscellaneous Use**Use of vehicles without tyres*

44. No person may drive or cause to be driven on a public street any vehicle which is propelled by treads or other methods which are likely to cause damage to the street except with the approval of the highway authority and subject to any condition that the highway authority determines.

Control of steering wheel

45.—(1) A driver while driving on a public street must drive with both hands firmly on the steering wheel unless—

- (a) when changing gear or otherwise operating other vehicle controls; or
- (e) with the written approval from the Authority - for medical reasons or physical handicap but the approval may be restricted to a driver of specially equipped vehicles.

Undue noise

46. No person may drive a motor vehicle or permit a motor vehicle to be driven on a public street in a manner causing undue noise.

Visible smoke

47. A driver of a motor vehicle on a public street must not cause or permit visible smoke to be projected from the exhaust-pipe or from any other part of the machinery of the motor vehicle for a period in excess of 10 seconds.

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

48.—(1) No person may drive or authorise another person to drive—

(a) a public service vehicle;

(b) a goods vehicle which the gross vehicle mass or gross combination mass exceeds 5 tonnes; or

(c) any motor tractor,

for a continuous period of more than 6 and a half hours or for periods amounting in the aggregate to more than 13 hours in any one day or for at least 10 consecutive hours, if driver has not rested in any period of 24 hours, calculated from the commencement of any period of driving.

(2) It is sufficient compliance with the provisions of sub-regulation (1)(c) if the driver has at least 9 consecutive hours for rest in any period of 24 hours provided that the driver has an interval of at least 12 consecutive hours for rest in the next following period of 24 hours.

(3) For the purposes of this regulation—

(a) any 2 or more periods of time is treated to be a continuous period unless separated by an interval of not less than half an hour in which the driver is able to rest;

(b) any time spent by a driver on other work in connection with the vehicle or the load carried including in the case of a public service vehicle, any time spent on a vehicle while on a journey in any capacity other than as a passenger, is treated as time spent in driving;

(c) if the vehicle is used in the course of operations of agriculture or forestry - a person is treated not to be driving the vehicle or to be spending time on work in connection with the vehicle or the load carried if the vehicle is elsewhere other than on a public street except that if the person drives the vehicle on a public street the total amount of time driving or working in connection with the vehicle within any 24 hour period during which the vehicle is used on a public street does not exceed the limitations prescribed in sub-regulation (1).

(5) A person must not be convicted under this regulation if the person satisfies the court that the contravention was due to unavoidable delay in the completion of any journey arising out of circumstances which the person could not reasonably have foreseen.

Damage caused by neglect of a driver

49.—(1) If a person dies or is injured or a property is damaged through any willful or negligent act or omission of a driver of a vehicle in a public street, the driver and the owner of the vehicle are jointly and severally liable for the amount of damage.

(2) If any pecuniary penalty is imposed on a driver or conductor of a public service vehicle for an offence against this Act, and the penalty is not satisfied within 7 days after the penalty was imposed, the penalty may be recovered from the owner of the vehicle in the same manner as if the penalty were imposed on the owner personally.

(3) Any amount paid by the owner under sub-regulation (2), is a debt owing by the person on whom the penalty was imposed.

*Division 5 - Miscellaneous Equipment**Use of warning devices*

50.—(1) Subject to sub-regulation (2), a driver of a motor vehicle may sound a warning device attached to the vehicle to give audible and sufficient warning of the approach and position of the vehicle, if it is necessary in the interests of public safety.

(2) No person may sound a horn or other instrument attached to a motor vehicle between 11 p.m. and 6 a.m. in a city or town, except in an emergency or reasonably to prevent injury to another person or damage to a property.

Use of mobile communications

51. No driver whilst driving a motor vehicle on a public street may use any form of two-way communication device unless the vehicle is first brought to a standstill in accordance with these regulations.

Heavy vehicles to carry portable warning signs

52.—(1) No person may drive use or cause to be driven or used on a public street a heavy vehicle, unless the vehicle carries not less than 3 portable warning signs of a type approved by the Authority.

(2) If a heavy vehicle is broken down or disabled and is standing between sunset and sunrise—

(a) on a public street—

(i) in the vicinity of which no street lighting is provided; or

(ii) in a position where the vehicle is not clearly visible by street lighting in the vicinity at a distance of 200m,

and is not exhibiting all the lighted lamps required to be exhibited by the vehicle when stationary; or

(b) within 100m of a curve, crest, or other obstruction to the view of approaching drivers,

the driver or person in charge of the vehicle must forthwith place or cause to be placed on that street, in accordance with sub-regulation (3), 3 portable warning signs complying with the

requirements of sub-regulation (1) to give a warning of danger clearly visible to drivers of other vehicles on the street and, if practicable, so that at least one sign is visible to drivers at a distance of not less than 200m.

(3) The portable warning signs carried on a heavy vehicle must, if required to be used on a public street pursuant to sub-regulation (2), be placed—

- (a) one to the front of the vehicle;
- (b) one to the rear of the vehicle; and
- (c) one on the side of the vehicle facing the centre of the carriage-way.

(4) For the purposes of sub-regulation (3), if the portable warning signs carried on a heavy vehicle are required to be used on a public street outside a city or town, the signs placed to the front and to the rear of the vehicle must be placed in a manner (but not more than 150m from the vehicle) that the signs are visible to approaching vehicles for not less than 100m.

(5) This regulation does not apply to a heavy vehicle—

- (a) that is only used on a public street between sunrise and sunset; or
- (b) that is being used between sunset and sunrise on a public street that is equipped with street lighting.

(6) No person may sell or offer for sale portable warning signs intended to be carried in heavy vehicles pursuant to this regulation, unless such signs are of a type approved by the Authority.

(7) This regulation does not affect any obligation under the Act to display lighted lamps on stationary vehicles.

(8) For the purpose of this regulation a heavy vehicle is a vehicle with gross vehicle mass or gross combination mass of 5 tonnes or more.

Part IV — USE OF PUBLIC STREETS

Division 1 — Temporary Arrangements

Temporary traffic management

53.—(1) A person who undertakes works on a public street which may interfere with pedestrian or vehicle must carry out the works in accordance with these Regulations, appropriate codes of practice and any other conditions the Authority or highway authority may impose.

(2) Subject to sub-regulation (3), a person who intends to undertake works which will restrict the width of a public street used for the movement of motor vehicles must obtain the approval of the Authority, and if appropriate the highway authority, for a temporary traffic management scheme prior to the commencement of works.

(3) Any work undertaken by a highway authority or service authority in accordance with an approved code of practice for temporary works does not require the separate approval of the Authority.

(4) Notwithstanding sub-regulations (1), (2) and (3), a police officer or authorised officer may order work to cease or other action taken to make the work safe if the officer is of the opinion that the work poses a danger to vehicles or pedestrians.

Temporary speed limits

54.—(1) A highway authority, service authority, council or the police with the approval of the Authority may introduce a temporary speed restriction on a public street if necessary for the public or employee safety.

(2) The limits of the temporary speed restriction are to be indicated by road sign No. 9 specified in Parts I and II of the Schedule with a supplementary 'Temporary' sign at the approach and at the 'End Temporary Speed Limit' complying with the appropriate code of practice where the temporary speed limit no longer applies.

(3) If the period for a temporary speed restriction will exceed 2 weeks, the authority instituting the temporary speed limit must place a public notice in at least 2 local newspapers to notify the temporary speed limit and indicate its expected duration.

(4) The relevant authority may extend the time specified under sub-regulation (3) by placing another notice in at least 2 local newspapers to indicate the temporary speed restriction.

(5) The approval of the Authority is not required if the work is to be carried out in accordance with the requirements set out in an approved code of practice issued under section 38 of the Act.

Temporary parking restrictions

55.—(1) A highway authority, service authority, council or the police with the approval of the Authority may introduce a temporary parking restriction on a public street if necessary for the public or employee safety.

(2) The limits of the temporary parking restriction must be indicated by road sign No. 11 or 12 specified in Parts I and II of the Schedule as appropriate with any necessary supplementary signs indicating the extent of the restriction in terms of place and time and complying with the appropriate code of practice approved by the Authority.

(3) If the period for a temporary parking restriction will exceed 2 weeks, the relevant authority must place a notice in at least 2 local newspapers to notify the temporary parking restriction and indicate its duration.

(4) The relevant authority may extend the time under sub-regulation (3) by placing another notice in at least 2 local newspapers to indicate the revised expected duration of the temporary parking restriction and continue to do so until such time as the temporary parking restriction is no longer in force.

(5) The approval of the Authority is not required if the work is to be carried out in accordance with the requirements set out in an approved code of practice issued under section 38 of the Act.

Division 2 — Animals

Seizure and disposal of animals

56.—(1) Any animal found tethered, wandering, straying or lying on a public street may be seized by a police officer or authorised officer and sent or taken to a pound subject to the Pound Act, and the owner of the animal is liable for the prescribed fees and penalties under this Act and the Pound Act.

(2) Subject to sub-regulations (3) and (4), a police officer may seize and dispose of any animal found tethered, wandering, straying or lying on a public street and upon seizure all rights of the owner of the animal is forfeited.

(3) The Commissioner of Police must give not less than 7 days notice in a newspaper circulated throughout the Fiji Islands of the intention to dispose of animals under sub-regulation (2) and the notice may be restricted to a particular area or district or be unrestricted in application.

(4) Any notice given under sub-regulation (3) has the effect for not more than one month but may be renewed by giving additional notice.

(5) The Commissioner of Police may request a member of the Republic of the Fiji Military Forces or any other persons approved by the Authority for the purpose of exercising his powers under this regulation.

(6) For the purpose of this regulation—

(a) 'dispose of' means the sale, auction, donation or destruction of any animal; and

(b) 'pound' means a pound established under the Pound Act.

Passage of animals

57.—(1) If an animal is on a public street, a driver approaching the animal must stop until the road ahead is clear or proceed slowly in a manner to avoid undue disturbance, damage or injury to the animal.

(2) If a vehicle is stopped in accordance with sub-regulation (1), a person in charge of the animal must lead or drive the animal out of the street to permit the driver of the vehicle to proceed.

Responsibilities of persons driving animals

58.—(1) No person may drive or lead any animal on a public street if a clear view of the animal is obscured for a distance of 100m or less by approaching traffic.

(2) If animals are driven or led in the circumstances referred to in sub-regulation (1), the animals must—

- (a) when proceeding along a public street which has a sealed carriageway - be accompanied by 2 persons, one at the front and one at the rear, one of whom must be on foot or horseback;
- (b) when proceeding along a public street which does not have a sealed carriageway, be accompanied by one person assisted by a sheep, dog or cattle dog; or
- (c) when crossing a public street - be accompanied by one person on foot or on horseback.

(3) For the purposes of sub-regulation (2), driving or leading animals along a public street for a distance of not more than 100m for the purpose of crossing that street is treated to be crossing the street.

(4) Subject to sub-regulations (5) and (6), every person accompanying animals while being driven or led in the circumstances referred to in sub-regulation (1) must—

- (a) give reasonable warning of the presence of the animals on the public street;
- (b) keep a proper lookout to ensure that that warning is properly given; and
- (c) if in or on a motor vehicle or horse-drawn vehicle display a prescribed sign or a red flag.

(5) During the period from 30 minutes after sunset to 30 minutes before sunrise—

- (a) the warning referred to in sub-regulation (4)(a) must be given by means of a lighted lamp or other illuminated or reflectorised device carried by every person accompanying the animals and waved from side to side on the approach of any vehicle;
- (b) the sign referred to in sub-regulation (4)(c) must be reflectorised or otherwise illuminated so as to be clearly visible to approaching vehicles; and
- (c) if a prescribed sign is not displayed on the vehicle, a red lamp must be displayed.

(6) This regulation does not apply to animals being led by a person by means of a halter, rein, ropes or other similar means of control.

(7) In this regulation—

'prescribed sign' means a sign specified in the appropriate code of practice;

'red flag' means a piece of red cloth or other flexible material of durable nature not less than 0.25 square metres.

Division 3 — Crossings

Obligations of drivers at level crossings

59. The driver of a motor vehicle—

- (a) when approaching a level crossing must drive at a speed which will enable the driver to give right of way to an engine or trolley or any carriages or wagons approaching or crossing the level crossing;
- (b) when approaching a railway level crossing on which any engine, trolley, carriage, or wagon is stationary - must stop before reaching that crossing and must not proceed across the crossing until it is safe to do so;
- (c) must not drive or attempt to drive a vehicle across a railway level crossing or other place on a railway when any engine or trolley or any carriages or wagons on the railway is or are approaching unless it is safe to do so;
- (d) must stop the vehicle so that the front of it is on the approach side of, and safely clear of, the nearest rail of a railway if the driver is directed or instructed to stop by an employee of the Fiji Sugar Corporation Limited and must not proceed except in accordance with the employee's direction;
- (e) must cause the vehicle to be driven over a railway level crossing in a manner to avoid the necessity for changing gear until the crossing has been traversed;
- (f) must not enter upon, or attempt to cross, a level crossing on a railway unless there is sufficient space on the roadway immediately beyond the crossing to accommodate his or her vehicle without obstructing the lawful passage of other vehicles or pedestrians or that of an engine, trolley, carriage, or wagon.

Pedestrian crossings

60.—(1) No driver of a vehicle may stop the vehicle, or cause or permit the vehicle to be stopped, in a public street within 9m on the approach side, or 6m on the departure side, of a pedestrian crossing, except for the purpose of allowing pedestrians to use that crossing.

(2) If a pedestrian is within the limits of a pedestrian crossing before a vehicle or any part of it comes on to the public street within those limits, the driver of the vehicle must give precedence to the pedestrian.

(3) A pedestrian entering the limits of a pedestrian crossing must do so with due care and consideration for motor vehicles approaching the crossing.

(4) The driver of a vehicle must not overtake a vehicle stopped at a pedestrian crossing.

(5) For the purposes of this regulation—

- (a) a pedestrian crossing is that part of a public street approved by the Authority as the location of a pedestrian crossing and is marked with road marking No. 6 specified in regulation 70(2); and
- (b) the limits of a pedestrian crossing are the full width of the carriage-way within 2m longitudinally of the pedestrian crossing markings, whether this limit is delineated by a transverse line or not.

School crossings

61.—(1) The driver of a vehicle must not stop the vehicle, or cause or permit the vehicle to be stopped, in a public street within 18m on the approach side, or 9m on the departure side, of a school crossing whilst it is in operation, except for the purpose of allowing pedestrians to use that crossing.

(2) If a pedestrian is within the limits of a school crossing before a vehicle or any part of it comes on to the public street within those limits, the driver of the vehicle must give precedence to the pedestrian whilst the crossing is in operation.

(3) A pedestrian entering the limits of a school crossing must do so with due care and consideration for motor vehicles approaching the crossing.

(4) No person must drive a motor vehicle at a speed greater than 40km/h within 50m of a school crossing whilst the crossing is in operation.

(5) If road sign No. 10 specified in Parts I and II of the Schedule is displayed, no person must drive a motor vehicle within the limits of a school crossing.

(6) No driver of a vehicle may overtake a vehicle stopped at a school crossing whilst the crossing is in operation.

(7) For the purposes of this regulation—

(a) a school crossing is that part of a public street approved by the Authority as the location of a school crossing and which is marked with road marking No. 18 specified in Part IV of the Schedule;

(b) the limits of a school crossing are the full width of the carriage-way within 2 metres longitudinally of the school crossing markings, whether the limit is delineated by a transverse line or not; and

(c) a school crossing is in operation when 'School Crossing' flags, specified as road marking No. 19 specified in Part IV of the Schedule are displayed in accordance with the appropriate code of practice.

(8) The Authority approval for a school crossing may specify the persons or organisations responsible for the crossing and the persons or organisations must comply with the conditions of the Authority's approval.

(9) Notwithstanding sub-regulation (8), the failure of a person or organisation to comply with the conditions of the Authority does not relieve a driver of his or her obligations under this regulation.

*Division 4 — Pedestrians**Pedestrians*

62.—(1) Subject to sub-regulation (2), (3) or (5) a pedestrian on a public street must not be on the carriage-way except for the purpose of—

(a) crossing that carriage-way in the manner prescribed by sub-regulation (2);

- (b) proceeding along that carriage-way in the manner prescribed by sub-regulation (3);
 - (c) entering a stationary vehicle; or
 - (d) meeting an unforeseen emergency or for an unavoidable reason that necessitates the use of the carriage-way.
- (2) A pedestrian may cross a carriage-way—
- (a) within the limits of a pedestrian crossing; or
 - (b) as nearly as practicable, by the shortest and most direct route to the edge of the carriage-way.
- (3) A person may proceed along a carriage-way if there is no footpath provided or the footpath which is not in a fit condition for public use—
- (a) when practicable, on the carriage-way or side of the carriage-way used by vehicles travelling in the opposite direction; and
 - (b) as far as practicable from vehicles travelling on the carriage-way.
- (4) No person may proceed along a carriage-way abreast of more than one other person.
- (5) Sub-regulation (1) does not apply to—
- (a) a procession lawfully proceeding along a carriage-way;
 - (b) a person lawfully—
 - (i) driving or leading an animal;
 - (ii) performing any work in relation to a public street or a fixture erected in or on a public street; or
 - (iii) complying with directions given by a police officer or an authorised officer; or
 - (c) a police officer or an authorised officer while on duty.
- (6) No person may on a public street other than a public street from which vehicles are excluded be on the carriage-way on foot within 20m of—
- (a) a traffic control light signal in operation otherwise than in compliance with the instructions of the traffic control light signal;
 - (b) a pedestrian crossing; or
 - (c) a school crossing whilst the crossing is in operation.

Division 5 — Accidents

Accidents

63.—(1) If a motor vehicle is involved in a motor accident on a public street and this results in death or injury to a person, or damage to another vehicle, or a property of another

person or animal, the driver of the vehicle must stop and give any necessary assistance and his or her name and address, the name and address of the owner of the vehicle, its registration number and the name of the insurance company responsible for the third party insurance to any person with an interest in any vehicle, property or animal involved in the accident and present at the time of the accident or immediately after the accident.

(2) If, a motor vehicle accident occurs on a public street,—

(a) causing damage to any vehicle, animal, or property, and the driver of the motor vehicle does not give his name and address in the manner prescribed by sub-regulation (1); or

(b) causing injury or death to a person or animal,

the driver of the motor vehicle must report the particulars and the circumstances of the accident at a police station or to a police officer as soon as practicable and in any case within 24 hours after the accident.

(3) Notwithstanding sub-regulation (2), if the driver of the vehicle is incapable, by reason of an injury sustained by him or her in the accident, of reporting the accident as required under sub-regulation (1), the driver must report or cause a person on his behalf to report the accident as prescribed by sub-regulation (1), as soon practicable and in any case within 7 days after the occurrence of the accident.

(4) Notwithstanding sub-regulations (2) and (3), if the driver of the vehicle is incapable, by reason of death or injury sustained by him in the accident, of reporting the accident as required by this sub-regulation, a passenger who is 16 years or over must report or cause a person on his or her behalf to report the particulars and the circumstances of the accident at a police station or to a police officer, as soon as practicable and in any case within 7 days after the occurrence of the accident.

(5) If a motor vehicle accident occurs on a public street which causes injury to any person, other than a passenger in the motor vehicle and the vehicle fails to stop, the person injured must report the particulars and the circumstances of the accident at a police station or to a police officer as soon as practicable and in any case within 24 hours after the accident.

(6) Notwithstanding sub-regulation (5) the person is incapable, by reason of an injury sustained by him or her in the accident, of reporting the accident as required by that sub-regulation, the person must report or cause a person on his or her behalf to report the accident as prescribed by that sub-regulation, as soon as practicable and in any case within 7 days after the occurrence of the accident.

(7) It is a defence if the person obtains a certificate from a medical practitioner stating that he or she was incapable of complying with these requirements in which case he or she must report the particulars and circumstances of the accident to a police station or to a police officer as soon as practicable and in any case within 7 days of being certified by a medical practitioner as being capable of doing so.

Removal of goods and things remaining after an accident

64. If, as a result of an accident involving a motor vehicle, any matter or thing falls or otherwise escapes from that vehicle on to any public street, and that matter or thing is likely to endanger the safety of the public, or cause injury to any person or animal, or cause damage to any vehicle, on the public street, the driver of the motor vehicle involved in that accident must forthwith remove or cause to be removed that matter or thing from that street, or, if that driver is unable to do so, the driver of any motor vehicle which is used for, or in connection with, the removal of the first-mentioned vehicle must forthwith remove or cause to be removed that matter or thing from that street.

*Division 6 — Miscellaneous**Establishment of roadside facilities*

65.—(1) No person may establish or operate a roadside facility within a public street without the approval of the highway authority.

(2) The highway authority may issue a notice to any person not complying with sub-regulation (1) or with the conditions of the highway authority's approval, requiring the cessation of operations and removal of any facility within a period of not less than 24 hours.

(3) The operator of roadside facility is duly served with a notice required under sub-regulation (2)—

- (a) by affixing a notice to the facility;
- (b) served on a worker of the operator at the facility;
- (c) by posting it to the address provided to the highway authority by the operator;
- (d) by posting it to the address registered as the business address of the person or business concerned.
- (e) by posting it to an address shown in the records of the Authority kept under section 22 of the Act.

(4) If a person responsible for a roadside facility does not remove the facility or otherwise cease operation following issue of a notice under sub-regulation (2) and after expiry of the time specified in the notice, the highway authority may demolish or remove the roadside facility and recover costs for doing so from the person responsible.

(5) For the purpose of this regulation, a roadside facility includes any selling of produce or goods, either from a stall or from the roadside, advertising display or similar facility.

(6) This regulation does not limit the powers of a police or authorised officer to take immediate action pursuant to these regulations if a safety hazard is created by a roadside facility.

Removal of goods from public streets

66.—(1) If any goods are placed or allowed to remain in any public street, which obstruct, annoy, or endanger the residents or other persons, a police officer or authorised officer may—

- (a) order the owner of the goods to remove goods; or
- (b) after the expiration of 24 hours from the issue of an order, remove or cause the goods to be immediately removed and carried to any place of safety, and to detain the same until the expenses of removal and detention are paid by the owner, and if the expenses are not paid within 14 days after such removal, to sell or dispose of the same, and apply the proceeds as the Authority may direct.

(2) This regulation does not limit the powers of a police or authorised officer to take immediate action pursuant to these regulations if a traffic hazard exists.

Debris on public streets

67.—(1) Subject to sub-regulation (2), no person may allow a vehicle whilst in use on a public street to deposit oil, mud or any other substance or debris which is likely to cause an accident or injury to any person or property except if it is established that the condition of a public street was the cause of the substance or debris being deposited.

(2) A person may enter into an agreement acceptable to the highway authority for the removal of any substances or debris.

(3) A person who fails to fulfill the requirements of an agreement entered into under sub-regulation (2) to remove substances or debris commits an offence.

Use of public streets for public events

68.—(1) If the Authority considers it desirable so to do for the purpose of facilitating the holding of any public event or the carrying out of any arrangements in connection with it, by notice in a newspaper circulating in the area in which the public event is to be held, the Authority may, subject to conditions—

- (a) close any street; or
- (b) prohibit any motor vehicle or class of motor vehicle to the times specified in the notice.

(2) For the purpose of this regulation, the holding of any motor vehicle race or reliability trial wholly or partly on a public street, for the purposes of this regulation, is regarded as the holding of a public event, and whilst closed pursuant to this regulation, the street is deemed not to be a public street except that a police or authorised officer may continue to exercise powers pursuant to sub-regulation (5) on the street.

(3) An authority granted under sub-regulation (1) may be granted subject to a condition that there is entered into a policy of insurance with respect to any death or bodily injury, or any damage or injury to property, that may arise from the holding of that public event.

(4) A police officer or, with the approval of the Authority, any other person, may place or erect in a public street any barriers, signs, other devices or things and may give directions to any person in relation to the use of the public street under this regulation.

(5) If the Authority or a police or authorised officer is satisfied that there exists in a public street an obstruction or danger to traffic or that an obstruction or danger is likely to arise, the Authority or the officer may give, or cause to be given, directions, or take, or cause to be taken, action, as the Authority or officer considers necessary or desirable in the circumstances to close that street or to prevent or restrict its use.

(6) A person who fails to comply with any directions given under sub-regulation (4) or (5) commits an offence.

(7) In this regulation 'public event' includes any event that the public intended or is invited to view or in which the public is invited to take part, whether on payment or otherwise.

Part V — TRAFFIC MANAGEMENT DEVICES

Division 1 — Signs

Road signs

69.—(1) The road signs—

(a) specified and depicted in Parts I, II, III and V of the Schedule; or

(b) described in the appropriate code of practice,

may be made or erected to convey to a driver of a vehicle the message associated with the appropriate sign.

(2) If a road sign is erected, a driver approaching it from the direction in which it is facing must on reaching or after passing that sign comply with the relevant requirements set out in the 2nd column of Part I of the Schedule.

(3) A road sign depicted in Parts II and III of the Schedule may be supplemented by a mark or a further sign, in which case the requirements to be complied with in respect of the former sign are construed and have effect subject to the supplementary mark or sign.

(4) This regulation does not authorise a driver of a vehicle to drive at a speed that exceeds any maximum speed otherwise applicable to the vehicle by or under these Regulations.

(5) Every road sign must be of the shape, size, material and colour indicated in the relevant code of practice issued under section 38 of the Act.

(6) The numerals, hours, days, words, and arrows set out in a road sign in the appropriate code of practice are for the purpose of example only and are not intended to be an invariable part of the sign.

(7) The Authority may approve the use of any additional sign, for which the standard specifications and requirements to be complied with is set out in the current United Kingdom Traffic Signs Regulations and General Directions, if the Authority is of the opinion that the sign is necessary or desirable for the purpose of these Regulations.

Division 2 — Markings

Road markings - general

70.—(1) The road marking—

(a) specified and depicted in Parts IV of the Schedule; or

(b) described in the appropriate code of practice,

may be used to convey to a driver of a vehicle the message associated with the appropriate marking.

(2) If a road marking specified in Part IV of the Schedule is marked on public street, a driver approaching it from the direction in which it applies must on reaching or before passing that marking, whichever is applicable, comply with the relevant requirements of the road marking.

(3) A road marking must be of the shape, size, pattern, material and colour indicated in the relevant code of practice.

(4) Sub-regulation 69 (6) and (7) apply to road markings.

Centre lines

71.—(1) Subject to regulation 73, the driver of a motor vehicle on a public street other than a one-way street must drive so as to keep the centre line of the street on the right hand or off side of the vehicle except as provided for in regulation 3.

(2) For the purpose of this regulation 'centre line' means—

(a) any line marked as a centre line by a highway authority in accordance with the appropriate code of practice; or

(b) where no marked line exists, the unmarked imaginary centre line of the carriageway.

Barrier lines

72.—(1) Road marking No. 4 specified in Part IV of the Schedule must be used for conveying to vehicular traffic either the requirements specified in sub-regulation (2) or the warning specified in sub-regulation (5).

(2) A driver of a motor vehicle must comply with the following requirements—

(a) subject to sub-regulation (3), no vehicle must stop on any length of public street along which the marking has been placed at any point between the two ends of the marking; and

(b) subject to sub-regulation (4), every vehicle, whilst proceeding on any length of public street along which the marking has been placed so that, when viewed in the direction of travel of the vehicle, the continuous line is on the left of a broken line or a continuous line, must be so driven as to keep the first mentioned continuous line on the right hand or off side of the vehicle and must not cross nor straddle the first mentioned continuous line.

(3) Nothing in sub-regulation (2)(a)—

(a) prevents a vehicle stopping on any length of a public street so long as it is necessary—

- (i) to enable a person to board or alight from the vehicle;
- (ii) to enable goods to be loaded on to or to be unloaded from the vehicle; or
- (iii) to enable the vehicle, if it cannot be used for such purpose without stopping on that length of public street, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of that length of street, or the laying, erection, alteration or repair in or near to that length of street of any service installation,

UNLESS—

- (A) it is not reasonably practicable for the vehicle to stop for any of the purposes at (i), (ii) or (iii) on a part of that length of street which is a lay-by or a road verge; and
 - (B) the carriageway is sufficiently wide to permit a vehicle travelling in the same direction to pass without crossing or straddling the continuous line;
- (b) applies to a vehicle used for fire brigade, ambulance or police purposes whilst reasonably being used for such purposes;
 - (c) applies to a bicycle;
 - (d) applies to a vehicle stopping in any case where the driver is required by law to stop, or is obliged to do so in order to avoid an accident, or is prevented from proceeding by circumstances outside of his control; or
 - (e) applies to anything done with the permission of or by direction of a police officer or authorised officer.

(4) Sub-regulation (2)(b) does not apply to a vehicle crossing or straddling the continuous line first mentioned in sub-regulation (2)(b) for the purpose of obtaining access to any other street joining the length of street along which the line is placed or to land or premises situated on or adjacent to the said length of street or if it is necessary to do so—

- (a) in order to pass a stationary vehicle, or owing to circumstances outside of the control of the driver or in order to avoid an accident;
- (b) for the purpose of complying with the directions of a police officer or authorised officer.

(5) The warning conveyed by the road marking mentioned in sub-regulation (1) means that no vehicle while travelling next to a broken line placed to the left of a continuous line, as viewed in the direction of travel of the vehicle may cross or straddle the lines unless it is seen by the driver as being safe to do so.

Lane lines

73.—(1) If the surface of a carriage-way is divided into traffic lanes by lines delineated, the driver of a vehicle must drive the vehicle as nearly as practicable entirely within one traffic lane and must not move laterally from that traffic lane until the movement can be made safely and subject to regulation 37.

(2) Notwithstanding regulation 14 and 15, if a traffic lane is allocated exclusively for the use of traffic making or intending to make a particular movement or movements by means of a sign or signal alongside or over the lane in accordance with regulation 75(8) or any marking on the surface of the carriage-ways the driver—

- (a) must proceed only to make the movement or movements indicated by the sign, signal or marking;
- (b) must, if it is intended to turn or divert and a lane is allocated for that movement, enter that lane as soon as is reasonably practicable; and
- (c) must not make the movement or those movements from a lane other than the one allocated.

(3) Where road marking No. 3 specified in Part IV of the Schedule is displayed on or over a traffic lane, a driver must not proceed in that lane but must, subject to the other provisions of these regulations, enter another lane in order to proceed.

Transverse markings

74.—(1) A single continuous transverse line on the carriage-way is an indication to the driver of a motor vehicle that the driver must not proceed beyond the line if required to stop by a red light under regulation 75(4)(a) or a police officer.

(2) Two parallel intermittent or broken transverse lines on the carriage-way at an intersection are an indication to a driver of a motor vehicle that the driver must slow down or stop behind the lines and give way to any traffic in the intersection or junction.

(3) Sub-regulation (2) applies if road sign No. 1 as specified in Parts I and II of the Schedule is not erected at the intersection.

(4) Two parallel continuous transverse line on the carriage-way at an intersection are an indication to a driver of a motor vehicle that the driver stop the vehicle and then proceed giving way to traffic in the intersection or junction.

(5) Sub-regulation (4) applies if road sign No. 2 specified in Parts I and II of the Schedule is not erected at the intersection.

*Division 3 — Signals**Traffic control light signals*

75.—(1) The traffic control light signals—

- (a) specified in sub-regulation (3); or
 - (b) described in the appropriate code of practice,
- may be used to convey to a driver of a vehicle the message associated with the appropriate signal.

(2) If more than one traffic control light signal is visible to a driver approaching a junction or other location, the driver must comply with the requirements of the signal nearest to him or her on the street on which the driver is approaching and, if required to do so, stop the vehicle in advance of the stop line applicable to the signal.

(3) If a traffic control light signal depicted in Part V of the Schedule is erected—

(a) a driver approaching a light signal intended for the control of vehicles from the direction in which the light signal is facing and subject to sub-regulation (2); or

(b) a pedestrian facing a light signal intended for the control of vehicles or pedestrians and intending to cross the street the pedestrian is facing, must comply with the corresponding requirements, if applicable, as set out in sub-regulation (4).

(4) The display by a light signal of—

(a) the colour red indicates that a driver facing light signal No. 1 specified in Part V of the Schedule must not proceed beyond the stop-line on the road applicable to that light signal, except as provided by paragraph (g) or sub-regulation (6);

(b) light signal No. 1 specified in Part V of the Schedule with the colour red illuminated or light signal No. 3 specified in Part V of the Schedule containing a symbol, similar to that illustrated in the appropriate code of practice, illuminated in red, is an instruction that a pedestrian facing the light signal must not cross or attempt to cross the carriage-way in the direction of that signal except to complete a crossing lawfully commenced;

(c) the colour green indicates that a driver facing light signal No. 1 specified in Part V of the Schedule may, subject to the directions of a police officer or an authorised officer and to the instructions of any road signs and markings facing the driver, proceed straight ahead, to the left, or to the right, and when making a turn a driver must at all times comply with the provisions of sub-regulation (9) or (10), as the case may require;

(d) light signal No. 1 specified in Part V of the Schedule with the colour green illuminated is an indication to a pedestrian facing the signal that he or she may cross the street he or she is facing if it is seen to be safe to do so and with due regard to traffic which may be turning into that street and an illuminated green symbol, similar to that illustrated in the appropriate code of practice, displayed by a separate pedestrian light signal is an instruction that a pedestrian facing the signal may proceed across the carriage-way;

(e) light signal No. 1 specified in Part V of the Schedule with the colour amber illuminated is an indication that—

(i) a driver facing the signal must not proceed beyond the stop-line on the road applicable to that signal, unless his vehicle is so close to the stop-line when the colour amber first appears that the vehicle cannot be safely stopped before passing the stop-line except as provided by paragraph (g);

- (ii) a pedestrian facing the signal must not cross or attempt to cross the carriage-way; and
- (iii) if the signal is at or near any intersection or junction, any person on or within the intersection or junction must proceed in such a manner as to get clear of the intersection or junction with all reasonable speed;
- (f) light signal No. 2 specified in Part V of the Schedule with a red arrow illuminated indicates that a driver facing the signal must not proceed beyond the stop-line applicable to the signal in the direction indicated by the arrow;
- (g) light signal No. 2 specified in Part V of the Schedule with a green arrow illuminated in conjunction with light signal No. 1 specified in Part V of the Schedule with the colour red or the colour amber illuminated indicates that a driver facing the signal may proceed to make a movement in the direction indicated by the arrow, but in no other direction;
- (h) light signal No. 2 specified in Part V of the Schedule with an amber arrow illuminated indicates that a driver facing the signal must not proceed beyond the stop-line on the road applicable to that signal in the direction indicated by the arrow unless his or her vehicle is so close to the stop-line when the arrow first appears that the vehicle cannot be safely stopped before passing the stop-line;
- (i) light signal No. 1 specified in Part V of the Schedule with intermittent single amber flashes at an intersection is an instruction that a driver facing the signal must proceed with caution and give way to traffic on his or her right;
- (j) light signal No. 4 specified in Part V of the Schedule with twin alternating flashing red lights, with or without a warning bell ringing at or near a railway level crossing, indicates that a driver facing the signal must stop his or her vehicle before reaching the crossing and must not proceed or attempt to proceed over the crossing until the signal has ceased to flash, unless directed otherwise by a police officer or an employee of the Fiji Sugar Corporation Limited.

(5) If by virtue of sub-regulation (2), the driver of a motor vehicle is prohibited from proceeding beyond a stop-line applicable to a light signal and no stop-line is marked or delineated on the road or the stop-line on the road has been obliterated the driver must not proceed beyond that signal.

(6) If the driver of a motor vehicle is facing a light signal displaying the colour red and he or she has reasonable grounds for believing the signals are not operating correctly, the driver may proceed to enter the intersection or street next beyond the signal as slowly as practicable and must give way to all traffic.

(7) In any proceedings under sub-regulation (4), the driver has the onus of proof that he or she had reasonable grounds for believing the signals were not operating correctly.

(8) If the surface of a public street is divided into traffic lanes by lines delineated, and separate light signals are erected over each of those lanes, the driver of a vehicle—

- (a) must not drive in a lane over which a light signal facing him or her displays the colour red; and
- (b) may drive in a lane over which a light signal facing him or her displays the colour green, notwithstanding the location of the centre of the carriage-way with respect to the lane markings.

(9) The driver of a vehicle must, when making a right-hand turn at a place where light signals are in operation—

- (a) keep to the left of any line marked on the carriage-way to indicate the course to be taken by vehicular traffic making a right-hand turn, except where regulation 73(2) applies;
- (b) give way to all vehicles approaching from the opposite direction; and
- (c) give way to all pedestrians lawfully crossing the carriage-way at the place.

(10) The driver of a vehicle must, when making a left hand turn at a place where light signals are in operation, give way to pedestrians lawfully crossing the carriage-way at that place.

Division 4 — Miscellaneous

Creating confusion with signs, markings and signals

76.—(1) No person may erect, establish, or display on or near any public street anything which interferes with the effectiveness of any road sign, traffic control light signal, or marking under these regulations, or which prevents a driver approaching a road sign, traffic control light signal, or marking from clearly distinguishing the whole or any part of the sign, signal or mark which distracts the attention of any driver from it.

(2) No person may interfere with, alter, take down, or otherwise tamper with any road sign, traffic control light signal, or marking erected under these regulations.

(3) No person may place or cause to be placed on a carriage-way any painted signs, words, symbols or other road markings except employees of the highway authority in the course of their duties.

Creating confusion with traffic lights

77. No person may—

- (a) display or cause to be displayed any red, green, amber, or white light or lights in a manner as to interfere with; or
- (b) place or cause to be placed anything, other than a vehicle lawfully used by that person, in such a position as to obscure,

a traffic control light signal or to prevent or be likely to prevent the traffic control light signal from being clearly observed by driver or pedestrian approaching that signal and to whom that signal is applicable.

Installation and operation of traffic management devices

78.—(1) No person may install or operate or permit to be installed or operated without the approval of the Authority—

- (a) any road sign specified in Parts I, II, III and V of the Schedule;
- (b) any road marking specified in Part IV of the Schedule including a pedestrian crossing or school crossing; or
- (c) any traffic control signal listed in regulation 75(3), unless delegated power by the Authority.

(2) No person may install or operate or permit to be installed or operated any road sign, road marking, traffic control light signal, pedestrian crossing, school crossing or other traffic management device that does not comply with the appropriate code of practice or any condition of approval of the Authority.

(3) This regulation does not authorise a person to install, or approve for installation, a speed retarder on a public street that is subject to the provisions of the Roads Act.

(4) For the purpose of this regulation, 'speed retarder' means a device installed to control, limit or restrict the speed of traffic on a public street and may include road humps, bumps or other constructions or erections installed for the purpose;

Part VI — PARKING METERS

Responsibility of authorities

79.—(1) A highway authority exercising its delegated power to designate parking places and to make charges pursuant to section 68 must observe the requirements of this Part.

(2) This Part applies to any authority to which the Authority may have delegated powers relating to parking and parking meters pursuant to section 71.

Determining parking places

80.—(1) In determining parking places the highway authority must consider both the interests of traffic and the owners and occupiers of adjoining property and, must take into account the following—

- (a) the need to maintain the free movement of traffic;
- (b) the need to maintain reasonable access to adjoining properties; and
- (c) the extent to which parking place (whether open or covered) is available in the neighbourhood.

(2) The exercise by a highway authority of its functions under this Part does not render the highway authority subject to any liability in respect of the loss of or damage to any vehicle in parking place or the contents or fittings of any vehicle.

Authority may object

81.—(1) The Authority may order that a proposed parking place be withdrawn or a designated parking place be removed or modified.

(2) If the Authority intends to act under sub-regulation (1) it must give the highway authority an opportunity to be heard.

Highway authority to advertise proposals

82.—(1) If a highway authority proposes to designate part of a public street as a parking place in which charges will be payable for its use, the highway authority must cause to be published in a newspaper published in the Fiji Islands and circulated in the city or town in which the public street is located an advertisement—

- (a) stating the general effect of the proposal, the location of the proposed parking place, the classes or descriptions of vehicles to be designated, the charges payable and the times when the parking places to be used;
- (b) specifying a place or places where a copy of the proposal and a plan showing the precise location of the proposed parking places to be designated, may be inspected at reasonable times specified in the advertisement during a specified period of not less than 28 days from the publication or first publication of the advertisement and ;
- (c) stating that any person wishing to object to the making of the order may make written representation to the highway authority, stating the grounds of his or her objection, within the time specified.

(2) On consideration of all objections the highway authority may proceed with the proposals and may install parking meters.

Charges

83.—(1) Subject to sub-regulation (2), there must be a standard charge for a standard period for each parking place and a vehicle left in a parking place is entitled to remain in such parking for the multiple of the standard period as the payment is a multiple of the standard charge.

(2) A highway authority may place a limit on the time a vehicle may remain in a parking place.

(3) The standard charge and standard period and hours and days of operation of the parking place must be clearly displayed to users of the parking place.

Method of paying charges

84.—(1) Parking meters of a type and design approved by the Authority may—

- (a) be installed at each parking space for the purpose of receiving the charge and indicating the period remaining before the standard period or standard periods as the case may be expires; or
- (b) be installed in respect of a number of parking spaces for the purpose of receiving the charge and issuing a ticket which indicates the time and date for which a charge has been paid for the use of a parking space.

(2) A ticket produced by a parking meter pursuant to sub-regulation (1) (b) must be located inside the vehicle near the windscreen in such a position that it can be easily read from the outside of the vehicle, otherwise the vehicle is deemed not to have a valid authority to park in that space.

Offences

85.—(1) The owner or person in possession of a vehicle commits an offence if the vehicle remains in a parking place and—

- (a) a parking meter installed in respect of which the vehicle is parked displays an expired sign indicating that—
 - (i) no charge had been made for the use of the space; or
 - (ii) the period for which a charge was paid has expired;
- (b) in the case of a parking space which requires a ticket to be displayed pursuant to regulation 84(2) and—
 - (i) no such ticket is displayed; or
 - (ii) the time and date shown on the ticket has expired; or
- (c) the period of time for which the vehicle has remained in the parking place exceeds the limit placed by the highway authority pursuant to regulation 83(2).

(2) A highway authority may invite the owner to pay an extended parking charge as an alternative to prosecution pursuant to sub-regulation (1).

(3) No person may, with intent to defraud, interfere with a parking meter or operate or attempt to operate a parking meter by the insertion of objects other than the current Fiji Islands coin of the appropriate denomination.

(4) In any proceedings for an offence under this regulation it is presumed, unless the contrary is shown that—

- (a) a parking meter provided in a parking place is of a type and design approved by the Authority; and
- (b) the parking meter was in proper working order at the time the vehicle was left in the parking place.

Part VII — MISCELLANEOUS

Approval of motorised wheelchair

86. A person who intends to use a motorised wheelchair on a public street must first obtain the approval of the Authority.

Penalties








87. A person who commits an offence under these Regulations is liable on conviction to the penalties prescribed for that offence in Schedule 2 to the Land Transport (Fees and Penalties) Regulations 2000.






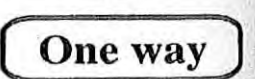


Repeal

88. The Traffic Regulations made under the Traffic Act (Cap 176) are repealed.

SCHEDULE - TRAFFIC MANAGEMENT DEVICES

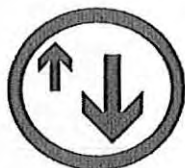
Part I - MANDATORY SIGNS

<i>Number and designation of road Sign</i>	<i>Appearance of road sign</i>
1. GIVEWAY	
2. STOP	
3. STOP POLICE	
4. KEEP LEFT	
5. PROCEED IN DIRECTION INDICATED BY ARROW	
6. PASS EITHER SIDE	
7. TURN LEFT AHEAD	

<i>Number and designation of road Sign</i>	<i>Appearance of road sign</i>
8. MINI ROUND ABOUT	
9. MAXIMUM SPEED LIMIT	
10. STOP – SCHOOL PATROL	
11. STOP (Temporary Control)	
12. GO (Temporary Control)	
13. ONE WAY	
14. POLICE SLOW	
15. Plate for use with signs in diagram 1 or 2 at an open level crossing without signals	

*Number and designation of road Sign**Appearance of road sign*

16. Priority to vehicles from the opposite direction



17. Priority over vehicles from the opposite direction.
(This sign is not mandatory but must be used in conjunction with sign 16.).



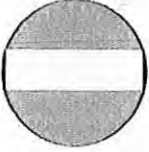


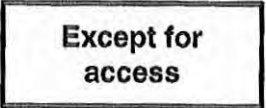


PART IA – MANDATORY SIGNS

<i>Number and designation of road Sign</i>	<i>Requirements to be complied with</i>
1. Give way to other vehicle traffic must	<ul style="list-style-type: none"> a) enter the intersection or junction next beyond the sign as slowly as practicable, and give way to traffic in the intersecting or junctioning street; b) in the case of a bridge or narrow section of a public street, give way to traffic, approaching from the opposite direction which has already commenced to cross that bridge or use that narrow section; c) when approaching a roundabout give way to any other traffic approaching from the right by slowing up and allowing that traffic to proceed; and d) when approaching a railway level crossing, comply with the requirements of regulation 60.
2. STOP	<p>Vehicle must stop when reaching the intersection or junction next beyond the sign and must give way to traffic in the intersection or junctioning street.</p>
3. STOP POLICE	

<i>Number and designation of road Sign</i>	<i>Requirements to be compiled with</i>
4. KBEP LEFT	Vehicle must only pass to the left of the sign.
5. Proceed in direction indicated by arrow	Vehicle must proceed in the direction indicated on the sign and in no other direction.
6. Pass either side	Vehicles approaching the traffic island on which the sign is mounted must pass either to the left or to the right of the island.
7. TURN LEFT AHEAD	All vehicles must turn to the left at the first intersection past the sign.
8. MINI ROUND ABOUT	
9. MAXIMUM SPEED LIMIT	A driver must proceed at a speed not exceeding the number of kilometres per hour indicated by the numerals on the sign until reaching another sign indicating a different maximum speed.
10. STOP-SCHOOL PATROL	Vehicles in the street approaching this sign from the direction in which it faces must stop before reaching the sign and not proceed except in accordance with the directions of the person displaying the sign.
11. STOP (Temporary Control)	Vehicles in the street approaching this sign from the direction in which it faces must stop before reaching the sign and not proceed except in accordance with the directions of the person displaying the sign.
12. GO (Temporary Control)	

<i>Number and designation of road Sign</i>	<i>Requirements to be compiled with</i>
13. ONE WAY TRAFFIC	Vehicles on a road in which the sign displayed must travel in one direction only as indicated by the direction arrow on the sign
14. POLICE SLOW	
15. Plate for use with signs in diagram 1 or 2 at an open level crossing without light signals.	
16. Priority to vehicles from the opposite direction	
17. Priority over vehicles from the opposite direction. (This sign is not mandatory but must be used in conjunction with sign 16.)	

PART II – PROHIBITORY SIGNS

<i>Number and designation of road Sign</i>	<i>Appearance of road sign</i>
1. NO ENTRY – ALL VEHICLES PROHIBITED	
2. COACHES AND OMNIBUSES PROHIBITED	
3. GOODS VEHICLE PROHIBITED	
4. Plate for use with signs 2, 3 and 5	
5. Vehicles or vehicles and load exceeding the weight indicated in tonnes on any one axle prohibited.	
6. Plate for use with sign 5	

*Number and designation of road Sign**Appearance of road sign*

7. NO RIGHT TURN



8. NO LEFT TURN



9. NO "U" TURN



10. NO OVERTAKING



11. USE OF AUDIBLE WARNING DEVICE PROHIBITED



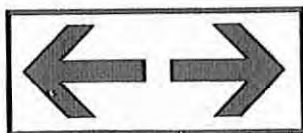
12. NO PARKING



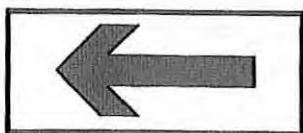
13. NO STOPPING



14. Plate for use with signs 12,13 to indicate that the restriction or prohibition applies in both directions.



15. Plate for use with signs 12, 13 to indicate the direction in which the restriction or prohibition applies.



16. Plate showing end of prohibition for use with signs 9, 10, 11 and 13

17. Vehicles exceeding width indicated prohibited.
Permitted variant : The figures may be altered.18. Goods vehicles exceeding the maximum gross weight indicated on the goods vehicle symbol prohibited.
Permitted variant : The weight may be varied.

19. Vehicles exceeding height indicated prohibited.



20. Vehicles or combination of vehicles exceeding length indicated prohibited.



21. PLATE FOR USE WITH SIGN 12, 13

Permitted variant : The days and times may be varied.

Mon-Fri
8.30am-6.30pm
Saturday
8.30am-1.30pm

PART IIA – PROHIBITORY SIGNS

<i>Number and designation of road Sign</i>	<i>Requirements to be compiled with</i>
1. NO ENTRY	Vehicles are prohibited from entering the public street from the direction which the sign faces.
2. COACHES AND OMNIBUSES PROHIBITED	Vehicles designed for the carriage of more than 16 persons (excluding the driver) are prohibited from proceeding past the sign either generally or continue the times specified on the sign or supplementary sign.
3. GOODS VEHICLE PROHIBITED	Vehicles of a type, or carrying or load, or weighing more than a mass, as specified on the sign or supplementary sign are prohibited from the proceeding past the sign either generally or within the times specified.
4. Plate for use with signs 2, 3 and 5	
5. Axle load limit	Vehicles with an axle load or aggregate axle load on a tandem or triaxle exceeding the weight indicated in tonnes are prohibited.
6. Plate for use with sign 5	
7. NO RIGHT TURN	Vehicles must not turn right at the intersection next beyond the sign.
8. NO LEFT TURN	Vehicles must not turn left at the intersection next beyond the sign.
9. NO "U" TURN	Vehicles must not make a "U" or 180° turn around the traffic island on which the sign is placed.

<i>Number and designation of road Sign</i>	<i>Requirements to be compiled with</i>
10. NO OVERTAKING	<ul style="list-style-type: none"> a) overtaking of one vehicle by another vehicle is prohibited on the sections of the road over which the sign is effective unless the first vehicle is parked or stopped at the edge of the carriageway; or b) where displayed at either approach to a bridge, the driver of a vehicle must not. <ul style="list-style-type: none"> (i) overtake or pass any other vehicle proceeding in the same direction while he is driving his vehicle between the signs; or (ii) stop the vehicle between those signs.
11. USE OF AUDIBLE WARNING	<p>The vehicle's horn must not be sounded within the area to which the prohibition applies.</p>
12. NO PARKING	<p>The driver of a vehicle may stop the vehicle he or she is driving in the space relating to the sign so long as is reasonably necessary to set down or take up passengers or goods, and not otherwise.</p>
13. NO STOPPING	<p>The driver of a vehicle must not cause or permit the vehicle to be stationary in the space relating to the sign except to comply with the requirements of a traffic control device or of a police officer or an authorised officer.</p>
14. Plate for use with signs 12, 13 to indicate that the restriction or prohibition applies in both directions.	
15. Plate for use with signs 12, 13 to indicate the direction in which the restriction or prohibition applies.	

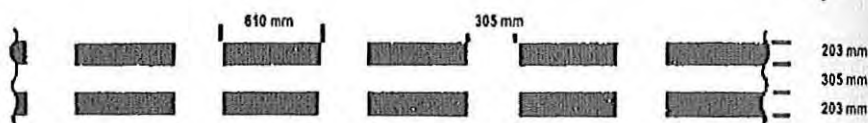
16. Plate showing end of prohibition for use with signs 9, 10, 11 and 13
17. Width Limit Vehicles or vehicles with a load exceeding the width indicated in metres are prohibited.
18. Goods vehicles exceeding the maximum gross weight indicated on the goods vehicle symbol prohibited. Permitted variant: The weight may be varied.
19. Height Limit Vehicles or vehicles with a load exceeding the height indicated in meters are prohibited.
20. Vehicles or combination of vehicles exceeding length indicated prohibited.
21. PLATE FOR USE WITH SIGN 12, 13
Permitted variant: The days and times may be varied.

PART III - ROAD MARKINGS

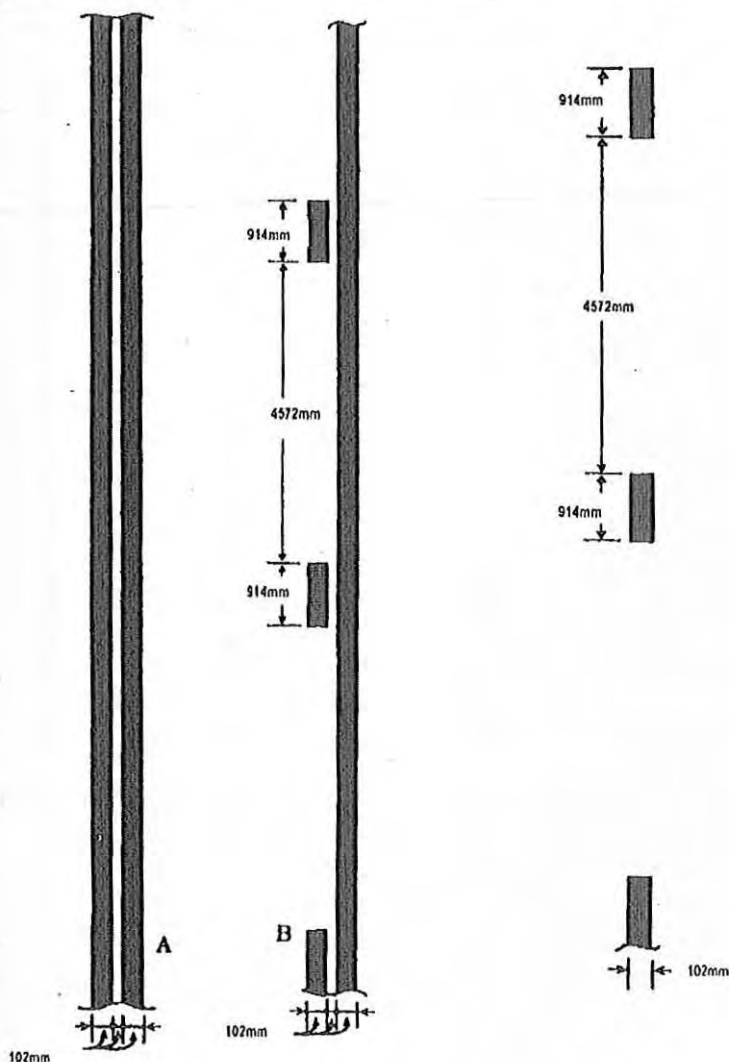
1. Transverse line (stop) to indicate position beyond which vehicular traffic must proceed when required to stop by light signals or the police.



2. Transverse lines (stop) to indicate position beyond which vehicular traffic must proceed when required to stop by Sign No. 202.



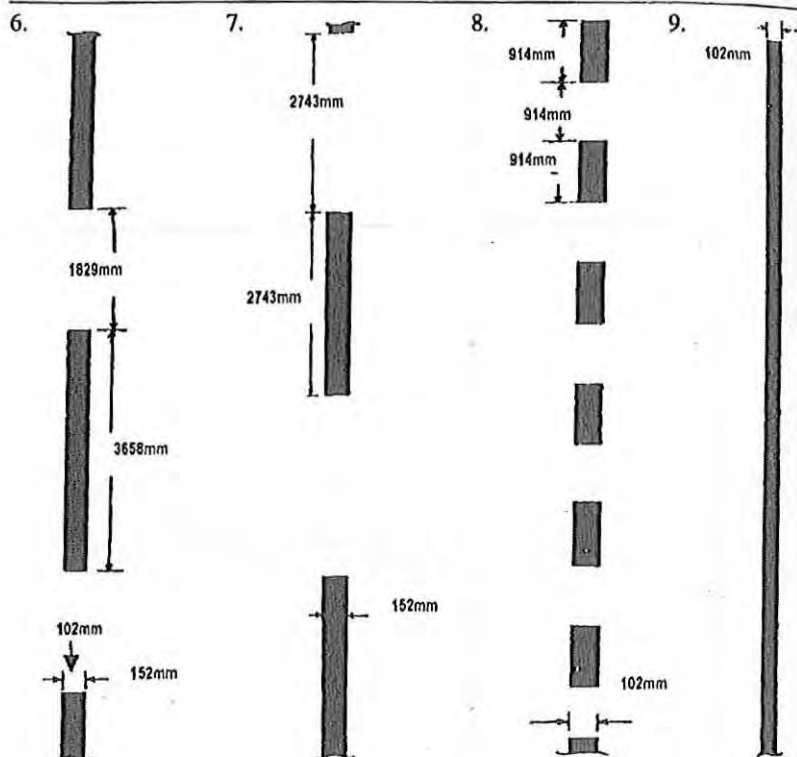
3. Transverse lines (give way) to indicate to vehicular traffic the requirements prescribed by regulation 8 (3).



4. A. No overtaking both directions.
B. No overtaking one direction.

Longitudinal lines to indicate to vehicular traffic the requirements and warning prescribed by regulation 13 (2) and 13(5).

Longitudinal line to indicate to vehicular traffic centre line of 2 lane carriageway or lane lines of carriageway with more than 2 lanes.



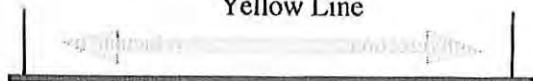
6. Warning line to warn vehicular traffic when approaching or negotiating a hazard not to cross or straddle the line unless it is seen by the driver to be safe to do so.

1. Centre line of 4 or 6 lane carriageway.

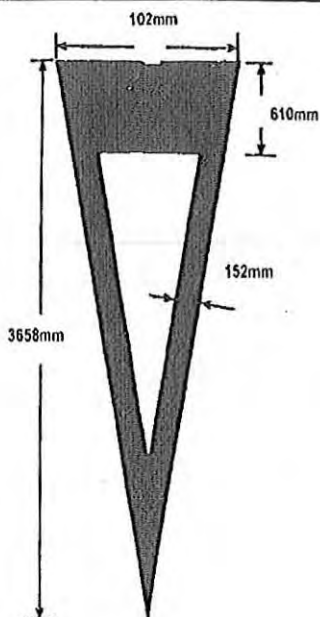
2. Edge of carriageway marking at omnibus bays and lay bys.

3. (1) Edge of carriageway marking on unlighted and heavily trafficked roads where the after dark conditions call for special delineation of the edge of the carriageway; or
(2) Transverse line to indicate position and limits of a controlled pedestrian crossing.

Yellow Line



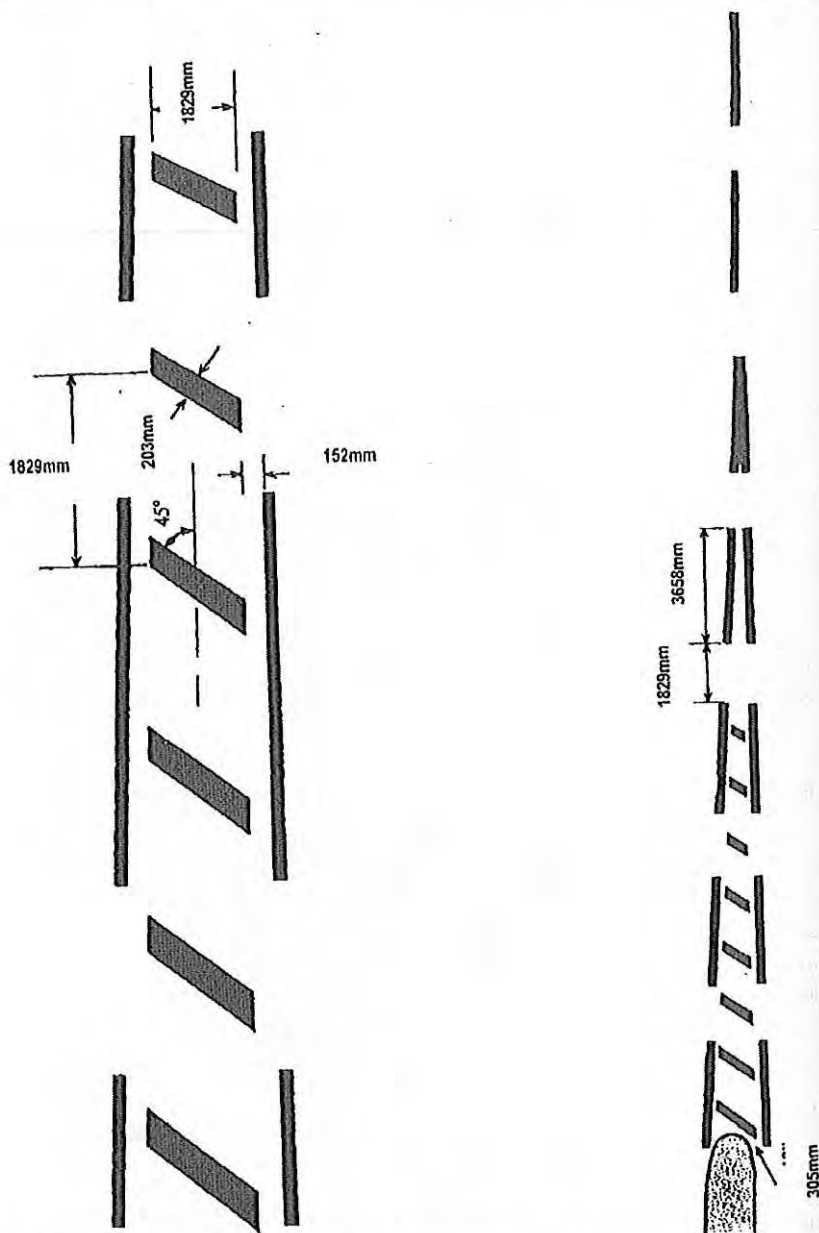
4. STANDARD ROAD MARKING (PARKING PROHIBITED) "A continuous yellow line marking 100 mm in width to indicate the length of a Road over which stopping and parking is prohibited".



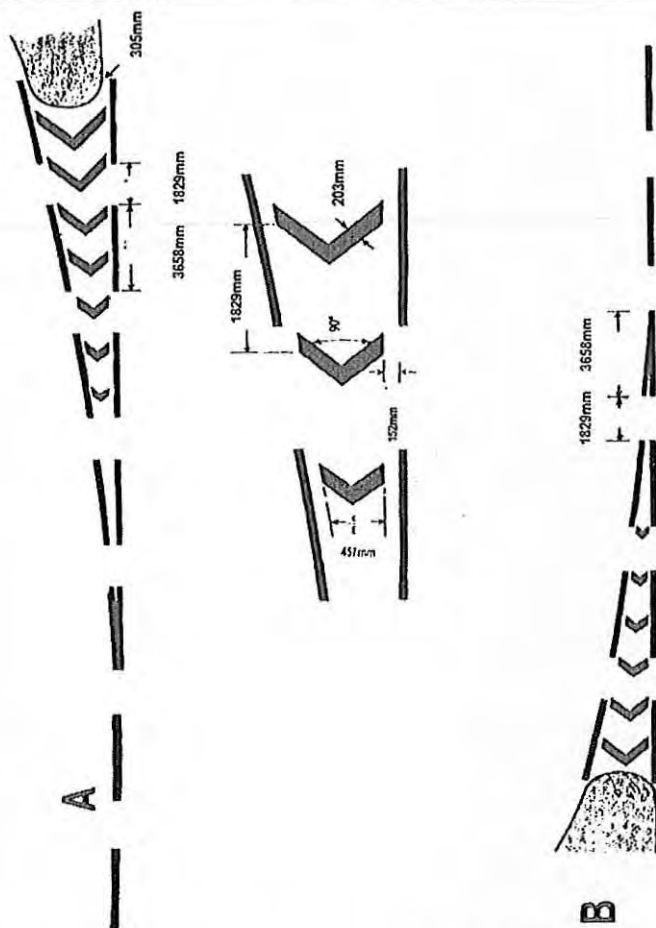
11. To indicate to vehicular traffic the approach to a road junction at or near which is placed Sign No. 1 and/or No. 3.



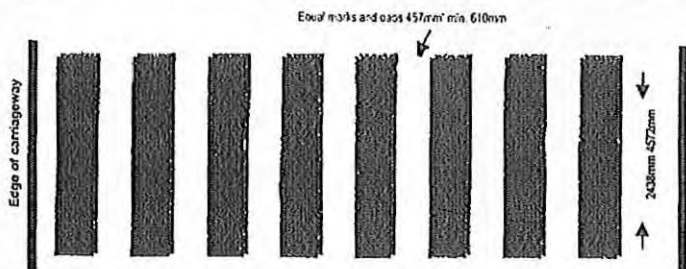
12. To indicate to vehicular traffic the approach to a road junction at or near which is placed Sign No.4.



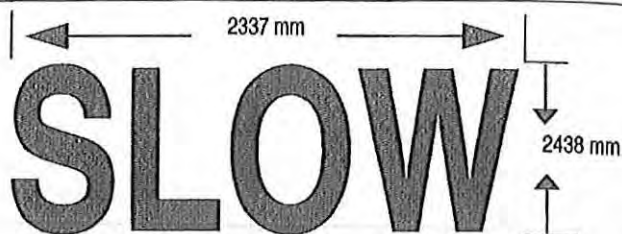
13. Cross hatching at approach to islands separating opposing flows of traffic.



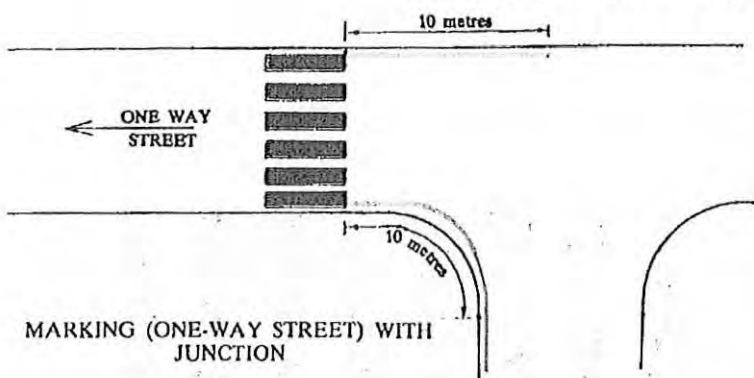
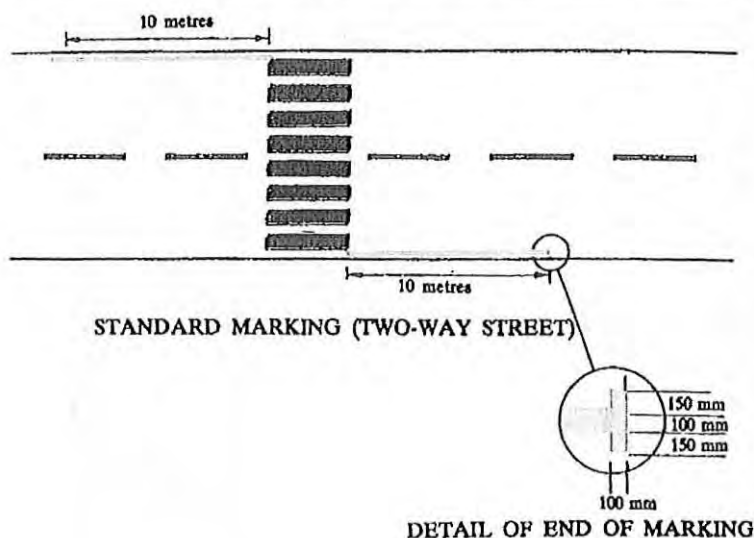
14. Chevron markings at approach to islands "A" Diverging traffic "B" Merging traffic.



15. Uncontrolled Pedestrian Crossing.

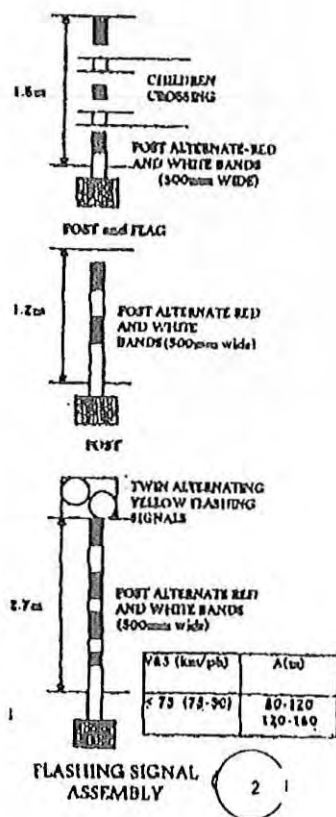
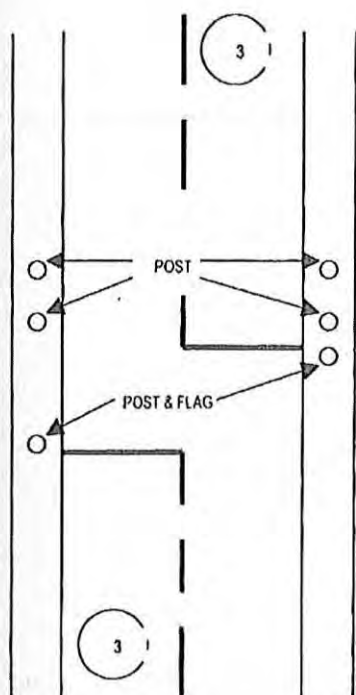


16. To indicate to vehicular traffic potential danger ahead and need to proceed with caution.



17. Yellow line marking on the approach to an uncontrolled pedestrian crossing (mark No. 115) to indicate the length of road over which stopping and parking is prohibited.

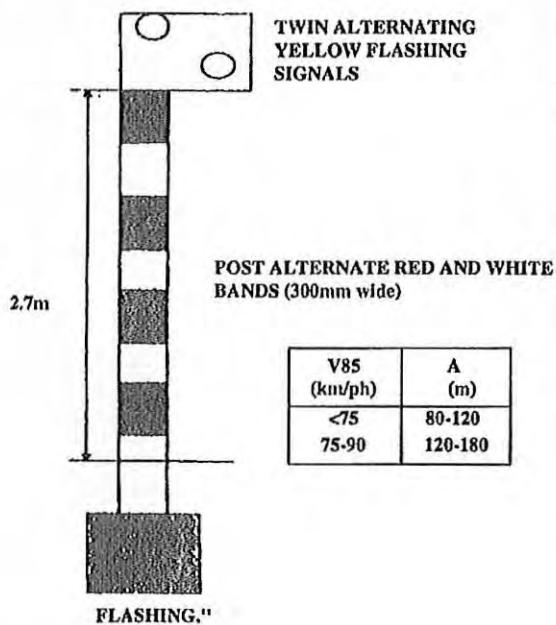
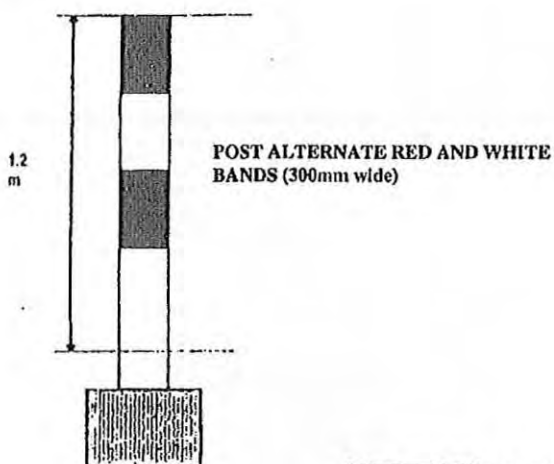
18. CROSSING FOR SCHOOLS



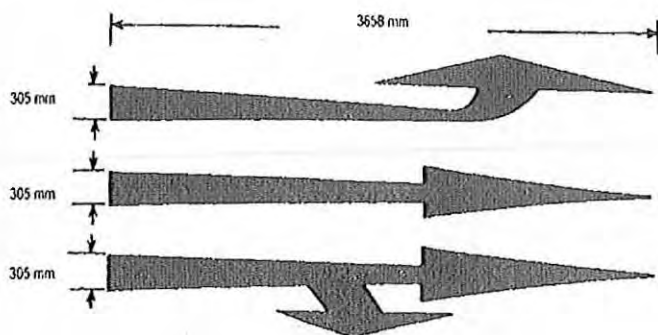
Notes :

1. No standing distance may be reduced to 6m on departure side on a one-way carriageway.
2. Twin alternating yellow flashing signals may be used to supplement flags.
3. Advance signs may be supplement with advance pavement messages.

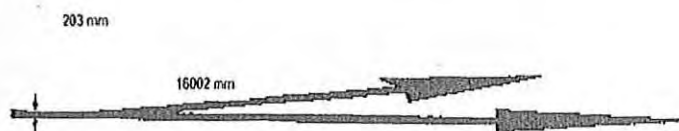
19. POST AND FLAG



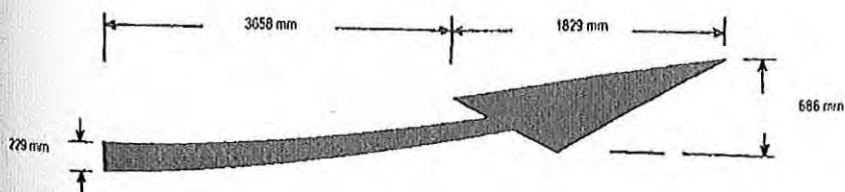
V85 (km/ph)	A (m)
<75	80-120
75-90	120-180



20. To indicate to vehicular traffic appropriate traffic lanes.

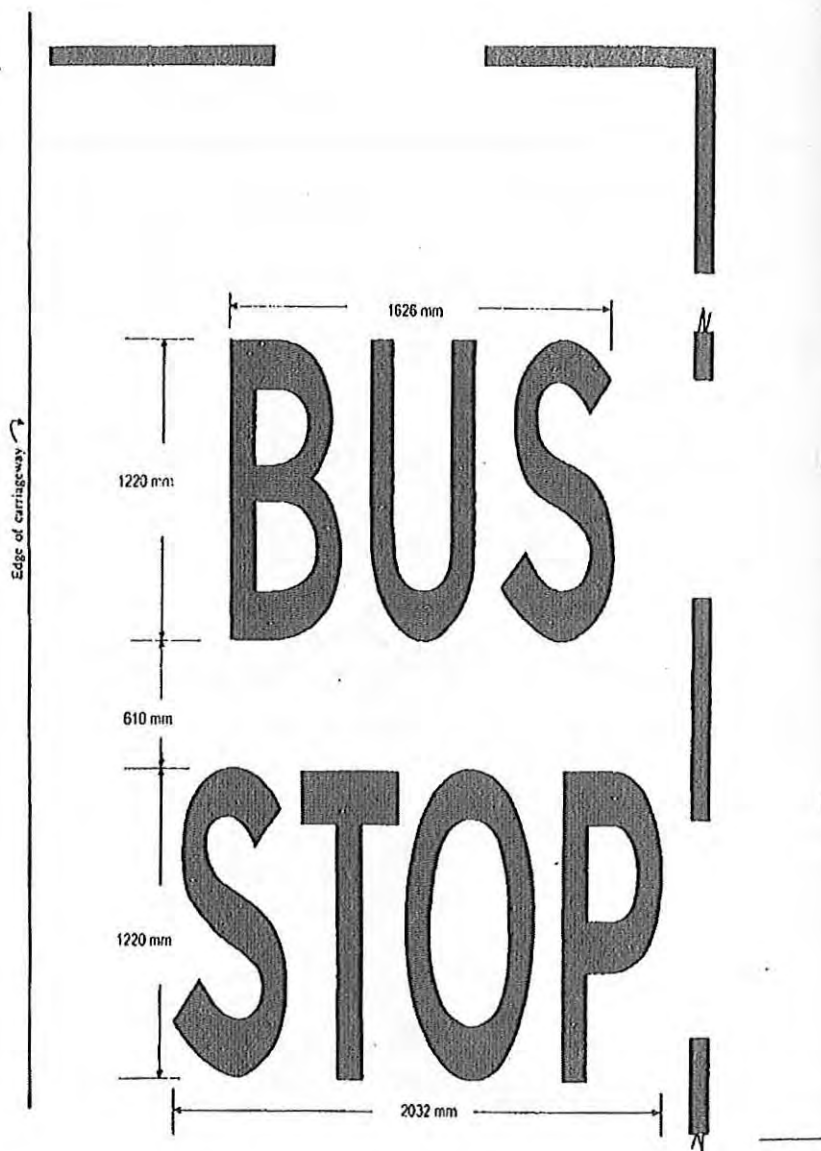


21. To indicate to vehicular traffic the entrance to a deceleration lane at a road junction.



22. To warn vehicular traffic approaching a length of road on which are placed longitudinal lines shown as Mark No. 4 of the need to keep to the left or nearside of both these lines.

23.

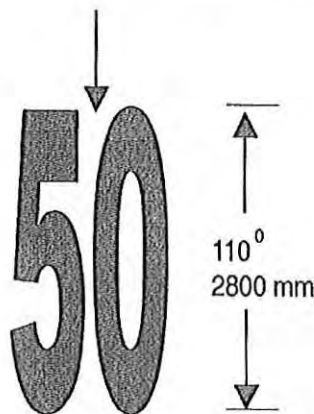


24.

Edge of Carriageway



Space between adjacent numerals not
to exceed 305 mm (12")



25. To indicate to vehicular traffic the existence of a maximum speed limit. The use of this marking with sign No. 19 is optional. It may not be used by itself.

Permitted Variant : 1 or more of the figures may be altered.

PART IV-LIGHTS SIGNALS

*Number and designation of road Sign**Appearance of road sign*

1. TRAFFIC SIGNALS

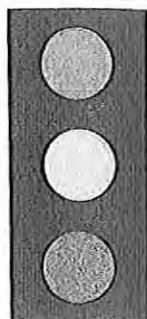
Signals for use in the control of vehicular traffic.

DIMENSION – Lamp lenses shall not be less than 203mm nor more than 216mm diameter.

The center of the lenses shall not be more than 356mm apart.

The normal height of the lower – most lenses shall be from the centre of the lens to the road way 2286mm.

COLOUR Lamp lenses shall be red (uppermost), amber (centre) and green (lowermost).



2. DIRECTIONAL ARROWS

- (a) **SINGLE ASPECT** Signal for use in conjunction with traffic lights to indicate that vehicles may proceed in direction of arrow not withstanding that traffic light signal may be red.

DIMENSIONS

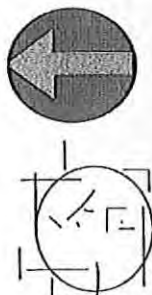
Lamp lens shall be 200 mm diametre.

COLOUR

Arrow when lighted shall be green.

PERMITTED VARIANT

The direction of the arrow may be varied.



- (b) **TRIPLE ASPECTS**

Signals for use in conjunction with traffic lights in the control of directing traffic.

DIMENSIONS

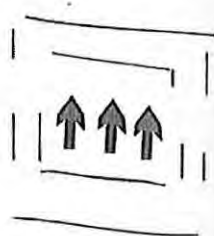
Lamp lens shall be 200 mm diameter not more than 350 mm apart. The normal height of the lower-most lens shall be from the centre of the lens to the roadway 3,300mm.

COLOUR

Lamp lens shall be red (uppermost), amber (centre) and green (lowermost).

PERMITTED VARIANT

The direction of the arrows may be varied.



*Number and designation of road Sign**Appearance of road sign*

3. **PEDESTRIAN CROSSING LIGHTS**
 Signals for use in conjunction with traffic lights to indicate when pedestrians may or may not cross the road

"DON'T WALK"

The DON'T WALK symbol is a red standing human figure.

DIMENSIONS

Lamp lens shall be 200 mm diameter

"WALK"

The WALK symbol is a green walking human figure.

DIMENSIONS

Lamp lens shall be 200 mm diameter.



4. **FLASHING STOP LIGHTS**

Signal to require approaching traffic to stop in positions of intermittent hazards.

DIMENSIONS

Lamp lenses shall be not less than 200 mm, nor more than 220 mm, in diameter; lamps to flash alternately.

COLOUR

Lamps when lighted shall be red



5. **UNCONTROLLED PEDESTRIAN CROSSING POSITION LIGHTS**

Signal to indicate the position of an uncontrolled pedestrian crossing.

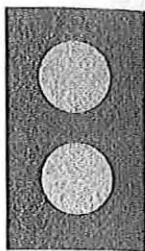
DIMENSIONS

Lamp lenses shall be not less than 203mm nor more than 216mm diameter; lamps should be alternate flashing.

COLOUR

Lamps when lighted shall be amber.



<i>Number and designation of road Sign</i>	<i>Appearance of road sign</i>
<p>6. PORTABLE LIGHT SIGNALS FOR VEHICULAR TRAFFIC</p> <p>Signals for use in the control of traffic where use of the carriage-way is temporarily restricted.</p> <p>DIMENSIONS Lamp lenses or signs not less than 203mm diameter nor more than 216mm.</p> <p>COLOUR Lamp lenses shall be red (uppermost) and green (lowermost)</p>	

Made at Suva this 7th day of July 2000.

J. KOROITAMANA
Minister for Tourism, Transport,
Civil Aviation and Communications