



Jersey

## ROAD TRAFFIC (No. 58) (JERSEY) REGULATIONS 2007

### Arrangement

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*Made**26th September 2007**Coming into force**3rd October 2007*

**THE STATES**, in pursuance of the Order in Council of 26th December 1851<sup>1</sup> and Article 92 of the Road Traffic (Jersey) Law 1956<sup>2</sup>, have made the following Regulations –

### **1 Interpretation**

In these Regulations, “Law” means the Road Traffic (Jersey) Law 1956<sup>3</sup>.

### **2 Article 1 amended**

In Article 1 of the Law, in paragraph (1), for the definition “prescribed test” there shall be substituted the following definition –

“ ‘prescribed test’ means a test prescribed for the purposes of Article 8(1)(a);”.

### **3 Article 4 amended**

In Article 4 of the Law, for paragraphs (10) and (11) there shall be substituted the following paragraphs –

“(10) A person who fails to comply with paragraph (9) shall be liable to a fine not exceeding £500.

(11) The amendments, effected by the Road Traffic (No. 57) (Jersey) Regulations 2007<sup>4</sup>, to the period for which a licence shall remain in force under paragraphs (4) and (5) shall not affect the period of validity of a licence granted or issued before those Regulations came into effect.”.

**4 Article 8 amended**

In Article 8 of the Law, for paragraphs (1) and (2) there shall be substituted the following paragraphs –

“(1) A licence (other than a provisional licence) shall not be granted to any applicant unless –

- (a) the applicant satisfies the parochial authority that the applicant has, within the 5 years immediately before the date of the application for the licence, passed a prescribed test showing the applicant to be competent to drive vehicles of the class or description which the applicant would be authorized to drive by the licence applied for;
- (b) the applicant satisfies the parochial authority that the applicant has, within the 5 years immediately before the date of the application for the licence, held a licence (not being a provisional licence) authorizing the applicant to drive vehicles of that class or description; or
- (c) where the licence is within a category specified in an Order made under paragraph (2) –
  - (i) the applicant satisfies the parochial authority that the applicant has, within the 5 years immediately before the date of the application for the licence, held a domestic driving permit, issued by a country or territory prescribed in an Order made under paragraph (2), that is a permit of a class prescribed in the Order in relation to that country or territory,
  - (ii) the Order allows the parochial authority to issue a licence that is within that category to a person who holds a domestic driving permit of that class that is issued by that country or territory, and
  - (iii) the applicant satisfies the parochial authority that the applicant is not, at the time of the application, disqualified under the law of that country or territory for holding or obtaining a licence under that law to drive vehicles of any class or description.

(2) The Minister may by Order prescribe the following –

- (a) a parochial authority may only issue, to a person who produces to the authority a domestic driving permit held by the person, a licence that is within a category specified in the Order, if –
  - (i) the permit is issued by a country or territory prescribed in the Order,
  - (ii) the permit is within a class of permits prescribed in the Order in relation to that country or territory, and
  - (iii) the Order specifies that a licence within that category may be issued to a holder of a permit within that class that is issued by that country or territory;

- (b) paragraph (1) shall have effect, in relation to domestic driving permits issued in any such country or territory as if –
  - (i) for the period of 5 years referred to in the paragraph there were substituted a lesser period, or
  - (ii) for the condition that the applicant has held a domestic driving permit within the period of 5 years there were substituted a condition that the applicant holds a valid domestic driving permit at the date of the application for the licence;
- (c) a licence shall not be issued to the holder of such a permit unless the permit is surrendered to the parochial authority for return by that authority to the issuing authority in the country or territory of issue.”.

#### **5 Article 13 amended**

In Article 13 of the Law, in paragraphs (1) and (2), after the words “Police Officer”, in each place where they occur, there shall be inserted the words “or Traffic Officer”.

#### **6 Article 21 amended**

After Article 21(2) of the Law there shall be inserted the following paragraph –

“(2A) Before making an Order under paragraph (2) in respect of a road in a parish, the Minister shall consult the Connétable of the parish.”.

#### **7 Schedule 2 amended**

In Schedule 2 to the Law, for item (1) there shall be substituted the following item –

“(1) Large goods vehicles, large passenger carrying vehicles, medium-sized goods vehicles and vehicles drawing trailers 30”.

#### **8 Citation and commencement**

- (1) These Regulations may be cited as the Road Traffic (No. 58) (Jersey) Regulations 2007.
- (2) These Regulations shall come into force 7 days after they are made.

**M.N. DE LA HAYE**

*Greffier of the States*

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- <sup>1</sup> *chapter 23.350*
  - <sup>2</sup> *chapter 25.550*
  - <sup>3</sup> *chapter 25.550*
  - <sup>4</sup> *R&O.49/2007*