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CHAPTER 50

ROAD TRAFFIC (MOTOR BICYCLES)

JR 12 of 1966
JR 1 of 1968
JR 6 of 1968
JR 8 of 1968

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ROAD TRAFFIC (MOTOR BICYCLES)

To provide for safety precautions in respect of motor bicycles.

1. Interpretation

For the purpose of this Act, the following expressions shall have the meanings respectively assigned to them –

"driver" means a person driving a motor bicycle;

"motor bicycle" includes every 2-wheeled vehicle being driven by automotive power, combustion engine or electrical power but excluding manual power;

"passenger" means any person on a motor bicycle other than the driver;

"protective headgear" means headgear approved under the provisions of section 2(2).

2. Necessity to wear protective headgear

(1) Every driver of or passenger upon a motor bicycle on a road on the islands of Efate and Espiritu Santo shall wear protective headgear.

(2) Such protective headgear shall be of a pattern approved by a committee composed of the Director of Public Works and the Commissioner of Police, or persons authorised by them in that behalf.

3. Number of passengers

No driver shall cause or permit:

(a) more than one passenger to be carried on a motor bicycle;

(b) a passenger to be carried on a motor bicycle unless the said motor bicycle is constructed so as to be equipped with a seat securely and permanently fitted behind the driver and the passenger is carried thereon.

4. Offences and penalties

(1) Any person who contravenes the provisions of this Act shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding VT 20,000, or to a term of imprisonment not exceeding 3 months, or to both such fine and imprisonment:

Provided that a police officer may issue the offender aforesaid with a compounding notice giving the said offender the option of paying a fine not exceeding VT 1,000 or appearing before the competent court for trial.

(2) Where any person is convicted by a competent court of an offence under this Act, the court may, if it considers it necessary in the interests of public safety, disqualify that person either temporarily or permanently from driving a motor bicycle, and his driving licence shall be endorsed accordingly.

(3) Any person who drives a motor bicycle while disqualified from so doing under the provisions of subsection (2) shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed in subsection (1).

SCHEDULE

(section 2(2))

APPROVED HEADGEAR

1. Every person riding on a motor bicycle shall wear a protective helmet that complies with one of the recognized standards of manufacture, sale, installation and use.

2. Moreover, to be in compliance, a protective helmet shall meet the following standards of use:

   (a) it shall bear, at all times, a compliance label affixed by the manufacturer and indicating that it meets one of the recognized standards of manufacture;

   (b) it shall be correctly adjusted and firmly attached by a chin strap; and

   (c) it shall be free of any modification to or deterioration of the internal or external structure. The helmet may, however, be repainted.

Table of Amendments (since the Revised Edition 1988)

Sched. Substituted by decision of Committee per s. 2(2), 17 March 2006