

**THE STATES OF DELIBERATION**  
**of the**  
**ISLAND OF GUERNSEY**

**COMMITTEE *for the* ENVIRONMENT & INFRASTRUCTURE**  
**AND**  
**POLICY & RESOURCES COMMITTEE**

ROAD TRANSPORT AND DRIVING LICENCE IMPLICATIONS FOR DRIVING IN EUROPE  
POST-BREXIT AND OTHER RELATED MATTERS

The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled “Road Transport and Driving Licence Implications for Driving in Europe Post-Brexit and other related matters” dated 12<sup>th</sup> November, 2018 they are of the opinion:-

1. To agree that the UN Convention on Road Traffic, 1968 (“the Vienna Convention”) should be extended to Guernsey with effect from 29<sup>th</sup> March, 2019 or as soon as possible thereafter;
2. To agree to the adoption of the legislative and regulatory measures necessary to demonstrate compliance with the requirements of the Vienna Convention, as detailed in sections 7 to 12 of this Policy Letter under the heading in each section “Compliance requirements for the Vienna Convention”;
3. Following relevant approvals, to direct the Policy & Resources Committee to initiate the request to the UK authorities to extend the Vienna Convention;
4. To agree to the adoption of the other legislative and regulatory measures that are not specifically required for compliance purposes, as detailed in sections 8, 9 and 11 of this Policy Letter under the heading in each section “Other proposed changes”;
5. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

Propositions have been submitted to Her Majesty’s Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

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The Presiding Officer  
States of Guernsey  
Royal Court House  
St Peter Port

12<sup>th</sup> November, 2018

Dear Sir

**1 Executive Summary**

- 1.1 This report seeks to address potential Road Transport and Driving Licence implications for Bailiwick of Guernsey residents (“Bailiwick residents”) arising from the decision of the UK to leave the European Union (EU) (Brexit negotiations).
- 1.2 Under existing International treaties on road transport Bailiwick residents are currently able to circulate motor vehicles and to drive overseas without experiencing undue hindrance, subject to certain compliance requirements.
- 1.3 Whilst the exact implications are unclear at this time and are likely to be influenced by the terms of any final agreement, it is important that steps are taken now to ensure that Bailiwick residents are not unduly disadvantaged as a result of Brexit.
- 1.4 International treaties are an established means of facilitating road traffic (and the associated driving of vehicles) amongst contracting parties. In more recent times the UK’s membership of the EU has provided greater certainty for UK residents (and, by association, Bailiwick residents) when driving in Europe. With the imminent withdrawal of the UK’s membership of the EU, this may change and is likely to have an impact on Bailiwick residents wishing to drive in Europe.

- 1.5 Unless an agreement is reached between the UK and EU as part of Brexit or separately through bilateral discussions between the UK and individual EU Member States prior to 29<sup>th</sup> March, 2019 then Bailiwick residents:
- a) Will be unable to apply for an International Driving Permit (IDP) and, therefore, will not be entitled to drive a Bailiwick registered vehicle or a hired vehicle on a Guernsey-issued Driving Licence in any of the following European Union / European Economic Area (EU/EEA) Member States that are not signatories to the International Convention on Road Traffic of 1949 (“the Geneva Convention”); namely Germany, Switzerland, Latvia, Lithuania, Estonia and Croatia ;
  - b) Will likely require an IDP in order to drive Bailiwick registered or hired vehicles on a Guernsey-issued Driving Licence in all those EU Member States that are signatories to the Geneva Convention such as France, Spain, Italy and Belgium, depending on the wording of domestic legislation in each of those countries relating to the international circulation of drivers and vehicles;
  - c) May no longer be able to exchange Driving Licence entitlement for an EU-issued driving Licence if relocating to an EU Member State and would therefore need to retake the relevant theory and practical driving tests in the various categories of licence that they might wish to retain;
  - d) May experience difficulties when driving Bailiwick registered motor vehicles within EU Member States, particularly if towing a trailer over 750kg (this definition includes caravans and horse boxes) which need to be registered in most EU Member States to be towed legally on the roads;
  - e) May not be considered to be properly insured if driving in countries where there is no mutual agreement in place to drive on a foreign issued Driving Licence, with or without an IDP, or in respect of driving without all the necessary insurance paperwork (including a ‘green card’) in countries where there might be a requirement to produce such documents.
- 1.6 As part of its contingency planning, the UK has decided to ratify the UN Convention on Road Traffic, 1968 (“the Vienna Convention”) with effect from 29<sup>th</sup> March, 2019 as a means of protecting the rights of UK residents to continue to drive in all EU Member States post-Brexit. An invitation has been extended to the Crown Dependencies to do likewise, albeit the date of ratification would be a matter for the authorities in each jurisdiction to determine.

- 1.7 The Bailiwick of Guernsey is currently a party to the Geneva Convention which is an International treaty establishing harmonised traffic rules amongst contracting parties to improve road safety. Contracting parties are required to admit to their territories visiting drivers and motor vehicles that comply with the requirements of the Convention. However, this does not apply to six EU / EEA Member States; namely Germany, Switzerland, Latvia, Lithuania, Estonia and Croatia, which are not signatories to the Geneva Convention but are signatories to the Vienna Convention.
- 1.8 In order for Bailiwick residents to legally be able to drive in the six EU / EEA Members States listed above it will be necessary to ratify the Vienna Convention. By signing up to the Vienna Convention it will also mean that an IDP with a duration of up to three years, depending on the expiry date of the domestic Driving Licence, can be issued to drive in all signatory countries as opposed to a shorter one-year IDP currently available under the Geneva Convention. The majority of EU Countries are signatories to the Vienna Convention with the exception of Spain, Ireland, Cyprus and Malta where it will still be a requirement for Geneva Convention IDPs to be issued to Bailiwick residents. A list of EU / EEA signatories of road transport treaties is attached as Appendix B.
- 1.9 Ratification of the Vienna Convention will also extend the right to drive in a number of other countries neighbouring Europe, including Belarus, Bosnia & Herzegovina, Macedonia, Moldova and Ukraine.
- 1.10 However, in order to comply with the various requirements of the Vienna Convention, a copy of which is attached in full as Appendix C, it will be necessary to introduce a number of changes to domestic legislation as listed in section 6.4 and further detailed in sections 7 to 12 of this Policy Letter. These cover:
- a) Introduction of a formal register of driving instructors (a matter previously approved by the States on 10<sup>th</sup> December, 2014 and a *Projet de Loi* has been approved by the Legislation Review Panel for submission to the States);
  - b) Amendments to existing seat belt legislation (a matter that had previously been identified by the Committee *for* Home Affairs as in need of updating irrespective of Brexit);
  - c) Giving statutory authority to a Highway Code for Guernsey, incorporating the UK Highway Code and a revised Guernsey supplement (covering the "rules of the road" as detailed in Chapter II of the Vienna Convention) plus a number of associated miscellaneous legislative amendments;

- d) The introduction of a system of trailer registration for certain trailers in international circulation;
- e) Revised vehicle construction standards and the introduction of periodic technical inspections for motor vehicles and certain trailers;
- f) Amendments to existing International Circulation legislation;

- 1.11 In addition to the benefits described in sections 1.8 and 1.9 above, compliance with the requirements of the Vienna Convention will also promote a number of associated road safety improvements; including the circulation of roadworthy motor vehicles, the wearing of seat belts in the rear of vehicles, changes in driver behaviour and clarification of certain driving offences.
- 1.12 The opportunity is also being taken within this Policy Letter to recommend incorporation of several minor non-Vienna Convention related amendments into domestic legislation at the same time as the essential changes are being implemented and these are detailed separately under the heading “Other proposed changes” in sections 8, 9 and 11 of the Policy Letter.
- 1.13 Any decision to ratify the Vienna Convention is a matter for the Bailiwick authorities and it need not necessarily be implemented immediately after Brexit. However, uncertainty over future road transport and driver licensing arrangements in Europe is a concern and ratifying the Vienna Convention would provide immediate certainty regarding the rights of Bailiwick residents to drive in or through six EU / EEA Member States; namely Germany, Switzerland, Latvia, Lithuania, Estonia and Croatia as well as certain other countries that have previously ratified the Vienna Convention but which have also ratified the Geneva Convention.
- 1.14 Our nearest European neighbour France is a signatory to both the Geneva and Vienna Conventions so Bailiwick residents are currently able to drive a Bailiwick registered vehicle or a hired motor vehicle on a Guernsey-issued Driving Licence, albeit a Geneva IDP might also be required. It is currently the same for Spain which is only party to the Geneva Convention. Other potential issues that could generate more attention in France post-Brexit include the towing of unregistered trailers (which includes a horse box or caravan) and in respect of Bailiwick registered vehicles and Bailiwick Driving Licences more generally such as in relation to driving licence qualifications, vehicle registration paperwork, safety and insurance matters.

- 1.15 There are currently some 44,400 Bailiwick residents with a Category B (Car) Driving Licence, many of whom also hold other categories of licence. In 2017 some 4,400 different Guernsey-registered motor vehicles and almost 300 motorcycles were taken into Europe through the Port of St. Malo. In addition there are a large number of Bailiwick residents who hire motor vehicles when on holiday in Europe. There is a risk that people might experience problems if seeking to drive a Guernsey-registered motor vehicle or drive a vehicle on a Guernsey-issued Driving Licence on European roads post-Brexit, particularly in countries that are not signatories to the Geneva Convention. These risks are current but will inevitably increase post-Brexit, especially in the event of a no-deal scenario, so the need to mitigate these risks is real.
- 1.16 Accordingly, it is being recommended that Guernsey ratifies the Vienna Convention as a means of enabling residents to drive in the six EU / EEA Member States listed in section 1.13 above that are party only to the Vienna Convention and to provide greater certainty when driving in those European countries that are party to both the Vienna and Geneva Conventions (such as France) or just the Geneva Convention (such as Spain).
- 1.17 Following a series of positive meetings with officers at the UK Department for Transport (DfT), agreement has been reached on a proposed timetable for the introduction of the more significant legislative changes required to ensure compliance with the requirements of the Vienna Convention. This includes the phased introduction of periodic technical inspections of motor vehicles based on a much less frequent inspection regime for cars than is currently imposed elsewhere in Europe, reflecting the very different circumstances here in the Bailiwick.
- 1.18 DfT has advised that legislation stipulating the dates by which full compliance with the requirements of the Vienna Convention will be met must be enacted prior to the commencement of the formal ratification process. It has also been confirmed that it will be unacceptable to reserve against inspecting cars in domestic traffic as part of the submission process as there is an expectation that driving safety standards will be the same in all signatory countries.
- 1.19 The specifics of the inspection regime and the associated testing standards to be applied will be determined separately but must, as a minimum, meet Vienna Convention requirements.
- 1.20 Whichever operating model is adopted, the aim will be to recover all set up and operating costs through the test fees. A thorough evaluation of the various testing options together with a detailed business case will need to be developed prior to taking this important compliance aspect forward.

- 1.21 It should be noted that formal compliance documentation detailing all of the required legislative changes will need to be submitted to the DfT and the Foreign and Commonwealth Office (FCO) for scrutiny prior to the formal ratification request being registered at the United Nations offices in New York a minimum of 30 days prior to proposed implementation.
- 1.22 The signatories to this Policy Letter consider that ratification of the Vienna Convention at this time is essential for ensuring the entitlement of Bailiwick residents to drive a Bailiwick registered vehicle or a hired motor vehicle in those EU / EEA countries that are not signatories to the Geneva Convention and will also provide added certainty when driving throughout Europe where the majority of countries are already party to the Vienna Convention.
- 1.23 The proposed legislative changes, including a phased approach to the periodic technical inspections of motor vehicles, are considered to represent a proportionate and pragmatic way of meeting the compliance requirements for ratification of the Vienna Convention whilst minimising the overall practical and financial impact on the general public and the Island generally.
- 1.24 The uncertainty around the timing and implications of Brexit has required many of the proposals within this Policy Letter to be progressed in a relatively short period of time and the signatories to this Policy Letter acknowledge that it has not been practical to consult as widely as might be the norm.
- 1.25 As part of the consideration process discussions have been held with the administrations in Alderney and Sark and it has been agreed, at their behest, not to request extending the Vienna Convention to those Islands. The reasons for this are further explained in section 14 of the Policy Letter.
- 1.26 The right to exchange driving licence entitlement when relocating to an EU Member State is not covered by the provisions of the Vienna Convention and so any arrangements post-Brexit will be reliant on any deal that the UK reaches with the EU or, in the event of a no-deal scenario, the outcome of any bilateral negotiations between the UK and individual EU Member States. A similar position exists in respect of road haulage although the impacts for Guernsey are likely to be minimal. The DfT has acknowledged the requirement to represent the Bailiwick's interests in respect of all Brexit-related road transport and driving licence matters and it is possible that further legislative changes may be required in the event that any separately negotiated position is reached with the EU or individual EU Member States in the future.

- 1.27 In light of the conclusions that are drawn from this Policy Letter, the States of Deliberation are asked to approve the proposed ratification of the Vienna Convention in Guernsey on 29<sup>th</sup> March, 2019, or as soon as possible thereafter, together with the associated legislative changes that are required as a pre-requisite of ratification, as detailed in sections 7 to 12 of this Policy Letter.

## **2 International Treaties on Road Transport**

- 2.1 International treaties are an established means of facilitating road traffic movements amongst contracting parties across the world. The earliest treaties date back to 1909 and 1926 when the emphasis was primarily on establishing agreed standards on the basic construction requirements for motor vehicles.
- 2.2 Guernsey is a signatory to the International Convention relative to Motor Traffic of 1926 (“the Paris Convention”) and also to the International Convention on Road Traffic of 1949 (“the Geneva Convention”). In addition to introducing basic vehicle standards, the Geneva Convention promotes the development and safety of international road traffic by establishing certain uniform requirements relating to rules of the road, signs and signals and sets standards for drivers of vehicles in international traffic. In accordance with these International treaties, Bailiwick residents have enjoyed relatively unhindered access to most of Europe and further afield for decades.
- 2.3 The Geneva Convention applies to 25 EU/EEA Member States plus numerous other countries around the World. This requires contracting parties to allow in their territories motor vehicles, trailers and drivers that fulfil the requirements of the Convention. In effect this provides unhindered access to most of Europe for Bailiwick residents provided they have a valid domestic Driving Licence plus an IDP issued by the Committee *for the* Environment & Infrastructure for that purpose and, if driving a Bailiwick registered vehicle, a registration mark (number plate), distinguishing sign (GBG) and Vehicle Registration Certificate.
- 2.4 The requirements for vehicle insurance when driving overseas are covered by a separate UN agreement and any changes to existing arrangements, such as the potential need to issue ‘green cards’ again, would be dealt with by insurance providers. However, in recognising the existing restrictions that affect Bailiwick residents driving in certain European countries it is important to note the potential insurance implications that might arise if vehicles are subsequently involved in an accident whilst being driven by a Bailiwick resident in a country without the necessary IDP or any other required insurance documents.



- 2.5 Through the UK's membership of the EU, and by association, Bailiwick residents have largely been treated in a similar manner to UK residents when driving abroad. With the occasional exception, Spain being one, EU Member States generally do not currently require Bailiwick residents to produce an IDP despite the fact that they are still a technical requirement of the Geneva Convention in most signatory countries. Accordingly, ease of access through Europe is generally taken for granted. However, the impending withdrawal of the UK from the EU means that UK residents will no longer have a guaranteed right to drive in certain EU Member States as of 29<sup>th</sup> March, 2019 and this is likely to have a consequential impact on Bailiwick residents in the event of a no-deal scenario.
- 2.6 Under the terms of the Geneva Convention, UK residents will retain the right to drive in most EU / EEA Member States post-Brexit, except for Germany, Switzerland, Latvia, Estonia, Lithuania and Croatia which have not ratified the Convention. In the potential absence of any multilateral or bilateral agreements with EU Member States, the UK Government has decided to ratify the Vienna Convention as a means of protecting the rights of UK residents to continue to drive in the aforementioned six EU / EEA Member States. This agreement will also extend the right to drive in all other countries that are signatories to the Vienna Convention.
- 2.7 A list of EU/EEA signatories to the Paris, Geneva and Vienna Conventions is attached as Appendix B. It should be noted that the Vienna Convention takes precedence over the Geneva Convention between contracting parties that are signed up to both conventions. Where a country (say France) is signed up to both conventions but another (say Guernsey) is only signed up to Geneva then the Geneva Convention is applied between those two countries.
- 2.8 Once the UK leaves the EU, UK residents will also no longer be guaranteed entitlement to drive throughout Europe on a UK-issued Driving Licence without an IDP and existing Driving Licence 'exchange' arrangements for UK residents relocating to another EU Member State will cease in the absence of an alternative agreement being reached. As of 29<sup>th</sup> March, 2019, UK residents will be reliant on the rights previously prescribed under the Geneva Convention and the newly ratified Vienna Convention to drive in Europe. The requirement for an IDP to also be issued for driving in Europe post-Brexit will depend on the domestic interpretation of international circulation requirements by individual EU Member States. Annex 6 of the Vienna Convention implies that photo card licences (such as those issued in the Bailiwick) do not need to be accompanied by an IDP but certain parties may not accept this interpretation. Accordingly, at this stage, it is being recommended that anyone driving abroad after 29<sup>th</sup> March, 2019 should obtain the relevant IDP(s) for the countries that they are proposing to visit.

- 2.9 The Vienna Convention introduces various additional ‘rules of the road’ covering issues such as driver competence, behaviour and speeds. It also introduces the requirement for enhanced technical standards, the need for periodic technical inspections of motor vehicles and the registration and inspection of trailers in international traffic.
- 2.10 Recognition of Driving Licences for the purposes of exchange is not covered by these UN Conventions which means that the rights currently given to UK residents to exchange Driving Licence entitlement without the need to re-take practical or theory driving tests when moving abroad to live in another EU Member State will also end on 29<sup>th</sup> March, 2019. This may also have implications for Bailiwick residents, including EU nationals living in Guernsey, who previously indirectly benefitted from such arrangements. Whilst there are a number of letters on file, mainly addressed to the UK Driver and Vehicle Licensing Agency between 2001 and 2009, which state that Guernsey-issued Driving Licences will be accepted for the purposes of ‘exchange’ it is not currently known whether these ‘agreements’ will stand up to scrutiny post-Brexit and in the absence of any multilateral or bilateral agreements between the UK and EU Member States. Such letters refer to exchange arrangements with Cyprus, France, Germany, Ireland, Italy, Latvia, Holland, Malta, Poland, Portugal, Switzerland, Gibraltar and Monaco.
- 2.11 Ratification of the Vienna Convention (along with the existing rights conveyed by the Geneva Convention) would ensure the ability for Bailiwick residents to drive in or through all EU Member States post-Brexit.
- 2.12 The UK Government has offered the Crown Dependencies the option of ratifying the Vienna Convention, either as part of the UK’s ratification process for 29<sup>th</sup> March, 2019 or at any time thereafter.
- 2.13 Accordingly, the islands of the Bailiwick need to determine whether to seek ratification of the Vienna Convention and, if so, by when.
- 2.14 In the meantime regular dialogue is being maintained with the DfT for the purpose of ensuring that the interests of the Bailiwick are represented in ongoing multilateral and bilateral negotiations between the UK and EU Member States on mutual recognition, exchange of Driving Licence entitlement, road haulage and other matters.

### 3 Assessment of Risks

- 3.1 In the event of a deal being reached between the UK and EU it is possible that existing reciprocal arrangements for Driving Licence recognition between the UK and EU will be retained or, at the very least, remain unchanged during a 'transitional period' that could last until 31<sup>st</sup> December, 2020 or beyond. However, that does not change the fact that Bailiwick residents are not currently entitled to drive in countries that are not signatories to the Geneva Convention.
- 3.2 In the event of a no-deal scenario, and if the Bailiwick authorities decide against ratifying the Vienna Convention, then it is likely that considerably more attention will be paid to the fact that Bailiwick residents:
- a) Are not entitled to apply for an IDP and, therefore, will be unable to drive a Bailiwick registered vehicle or a hired vehicle in Germany, Switzerland, Latvia, Lithuania, Estonia and Croatia on a Guernsey-issued Driving Licence; This would only change if a bilateral arrangement is agreed with each individual EU Member State on our behalf by the UK;
  - b) Will require a one-year IDP to be issued to drive in those EU Member States that are signatories to the Geneva Convention, unless domestic legislation in individual EU Member States removed this requirement;
  - c) May no longer be able to exchange Driving Licence entitlement if relocating to an EU Member State and in such circumstances would need to retake their theory and practical driving test if wishing to retain their existing Driving Licence categories;
  - d) May experience difficulties when driving Bailiwick-registered vehicles within EU Member States, particularly if towing a trailer over 750kg (which would include caravans and horse boxes). This is due to the fact that all EU Member States that are signed up to the Vienna Convention are required to enforce vehicle technical standards which extends to trailers which need to be registered, plated and issued with a Vehicle Registration Certificate in order to be driven on the roads. Whilst Bailiwick residents would be reliant on the rights of the Geneva Convention when driving in those same countries that are also party to that Convention, the risk is that authorities on the ground will seek to apply the higher standards;
  - e) May not be considered to be properly insured when driving in countries where there is no mutual agreement in place to drive on a foreign issued Driving Licence and / or an IDP or driving without all of the necessary insurance paperwork (i.e. a "green card") in countries where there could be a requirement to produce such documents.

- 3.3 It should be noted that existing road transport and Driving Licence arrangements between the Bailiwick and the UK, Jersey and the Isle of Man will not change as a result of Brexit.
- 3.4 In the event that the Vienna Convention is ratified, Bailiwick residents:
- a) Would immediately be entitled to drive in those six EU / EEA countries listed in Section 3.2 a) above and all other all EU Member States that are signatories of the Vienna Convention, potentially without the need for an IDP to be issued;
  - b) In respect of those signatories to the Vienna Convention that do still require an IDP to be issued, would be entitled to a permit that can be issued for a period of up to three years (depending on the expiry date of the domestic Driving Licence) as opposed to just one year as currently provided for those same countries that are also signatories to the Geneva Convention;
  - c) Would also be able to drive in Belarus, Bosnia & Herzegovina, Macedonia, Moldova and Ukraine on the same basis;
  - d) Would be less likely to experience difficulties when driving Bailiwick registered vehicles, especially those towing trailers, abroad;
  - e) Would benefit from a range of improved road safety measures including enhanced domestic vehicle and driver safety standards and a number of changes to legislation clarifying certain “rules of the road” for drivers and other road users that will also assist with enforcement of driving-related offences.
- 3.5 The matter is somewhat complicated by the fact that Guernsey’s position is largely unaffected by Brexit in that entitlement to drive in some EU Member States is not currently granted and in others requires the issuing of an IDP to be compliant but, for whatever reason, Bailiwick residents driving in these countries are not generally challenged as to the status of their Driving Licences at this time. However, there is a very high likelihood that interest in GB-registered cars and GB-issued Driving Licences will increase post-Brexit, particularly in the event of a no-deal scenario and in the absence of any negotiated bilateral agreements. Accordingly, the risk of Bailiwick residents being challenged or potentially denied access to, or being fined for, not having a compliant Driving Licence in an EU Member State that is not a signatory of the Geneva Convention will increase, as might general interest in Geneva Convention compliant countries.

- 3.6 There are currently some 44,400 Bailiwick residents that hold a Category B Driving Licence, many of whom hold licences in other categories. A potential consequence of not ratifying the Vienna Convention, particularly in the event of a no-deal scenario, could result in several hundred Bailiwick residents on an annual basis being prevented from driving Guernsey-registered vehicles or from hiring cars in EU / EEA Member States such as Germany, Switzerland and Latvia that are not signatories to the Geneva Convention. Greater scrutiny of Guernsey registered vehicles (of which over 4,700 travelled into France via the Port of St. Malo in 2017) post-Brexit could also result in further potential travel disruption and / or additional expense and inconvenience for thousands of Bailiwick residents annually when seeking to drive Guernsey-registered vehicles or hired vehicles in Europe on a Guernsey-issued Driving Licence.

#### **4 Discussions with the UK Department for Transport (DfT) regarding options for ratification of the Vienna Convention**

- 4.1 Officers from the Committee *for the* Environment & Infrastructure and the External Relations team at the Policy & Resources Committee have held a series of discussions with staff at the DfT with regard to the potential benefits of ratifying the Vienna Convention and the associated compliance and formal ratification procedures that would be required. As part of this process officers have sought to negotiate a solution that best meets the needs of Bailiwick residents whilst ensuring compliance with the principles and practical requirements of the Vienna Convention.
- 4.2 A draft position paper setting out the manner in which compliance would be achieved has been submitted to the DfT as part of the aforementioned discussions and it has been acknowledged that this is likely to be acceptable for the purposes of ratification provided that sufficient justification can be given to the proposed timeframes that have been submitted for achieving full compliance. However, it is ultimately for the FCO to determine whether any request for ratification meets the various requirements of the Vienna Convention.

#### **5 The position in the other Crown Dependencies and Gibraltar**

- 5.1 The States of Jersey are due to debate similar proposals on 20<sup>th</sup> November, 2018 together with associated legislation relating to technical requirements and inspection of motor vehicles, trailer registration, seat belts and IDPs. Jersey already has a register of driving instructors, appropriate links to the UK

Highway Code in domestic legislation and undertakes periodic technical inspections of public service vehicles and heavy goods vehicles over 7,500kg. Accordingly, Jersey is in a better position to comply with the overall requirements for ratifying the Vienna Convention and is able to implement vehicle testing requirements in a shorter timescale than is currently proposed for Guernsey.

- 5.2 At the time of writing the Isle of Man (IOM) is not planning to ratify the Vienna Convention. This is understood to be primarily because of its geographical location between the UK and Ireland, particularly as the UK does not impose any restrictions on IOM residents driving in the UK and Ireland is not a signatory to the Vienna Convention and thus there is no specific benefit to be gained from ratifying the Convention.
- 5.3 Gibraltar, which is an Overseas Territory rather than a Crown Dependency, is ratifying the Vienna Convention and is understood to be compliant or near compliant with the various requirements of the Convention already.
- 5.4 Alderney and Sark's position is explained in section 14 of the Policy Letter and in more detail in Appendix A.

## **6 Compliance requirements for ratifying the Vienna Convention**

- 6.1 It has been necessary to conduct an extensive review of existing domestic legislation in order to determine areas where new legislation or amendments to existing legislation are required in order to meet the compliance requirements for ratifying the 56 Articles and various supporting annexes listed under the Vienna Convention. The Articles are grouped into the following Chapters:

I - General provisions;

II - Rules of the road;

III - Conditions for the admission of motor vehicles and trailers to international traffic;

IV – Drivers of motor vehicles;

V – Conditions for the administration of cycles and mopeds to international traffic;

VI – Final Provisions;

Supporting Annexes include technical requirements for motor vehicles and the prescribed formats for domestic and international driving permits.

A full copy of the Vienna Convention is attached as Appendix C.

- 6.2 Of the legislative changes required for compliance purposes, the establishment of a formal register of driving instructors had previously been approved by the States in December, 2014 and so work was already in progress and the need to update seat belts legislation had previously been identified by the Committee *for* Home Affairs as in need of change irrespective of the requirements of the Vienna Convention. This latter requirement is an example of where the opportunity is also being taken at this time to update other provisions of the legislation.
- 6.3 In addition to satisfying the ratification requirements of the Vienna Convention, many of the required changes would also improve road safety standards in Guernsey and bring us in line with standards applied in most other European countries.
- 6.4 The following is a list of the main amendments to road traffic legislation required for compliance with the requirements of the Vienna Convention:
  - a) Article 3 (5) ter - Introduction of a formal register of driving instructors with associated tests of competencies to replace the existing voluntary scheme;
  - b) Article 7(5) - Amendments to existing seat belt laws to include requirements to fit and wear seat belts in all passenger seats including rear seats and extending the requirements for compulsory fitting of seat belts;
  - c) Articles 5 to 34 –
    - I. To introduce a Guernsey Highway Code, incorporating the UK Highway Code with a revised Guernsey supplement, which will have statutory authority, that will facilitate compliance with many of the extensive requirements in the Convention as to the "rules of the road" without the necessity to enact detailed legislation;
    - II. Certain other matters concerning the "rules of the road" will require miscellaneous amendments to existing legislation. These relate, inter alia, to:

- a) Traffic Signs & Traffic Light Signals Ordinance, 1988;
- b) Lighting of Vehicles and Skips Ordinance, 1988;
- c) Road Traffic (Speed Limits and Trials) Ordinance, 1987;
- d) Road Traffic (Construction and Use of Motor Vehicles) Ordinance, 2002.

It is proposed that the opportunity is taken to replace certain very old Ordinances, such as the Ordonnance relative au Trafic Vehiculaire en cette Ile, 1929, which have largely been repealed; and produce a consolidated modern Ordinance incorporating the provisions relating to the Highway Code and other miscellaneous road traffic provisions required for compliance with the Vienna Convention.

- d) Article 35 - The introduction of a system of trailer registration, mandatory for commercial trailers over 750kg and non-commercial trailers over 3,500kg in international traffic, and voluntary for non-commercial trailers under 3,500kg used in international traffic;
- e) Article 39 - The updating of vehicle technical standards and the phased introduction of periodic technical inspections of motor vehicles;
- f) Article 41 (2&3) - Issuing of 1968 compliant IDPs and other minor amendments to International Circulation legislation;
- g) A small number of other miscellaneous amendments to existing traffic legislation are proposed which relate to the Vienna Convention but are not specifically required for the purposes of ratification but which will further improve road safety, including provisions relating to:
  - I. Vehicle mirrors and positioning;
  - II. Seat belts;
  - III. Traffic signs and traffic light signals;

- 6.5 Following discussions with the DfT it has been ascertained that compliance papers need to be submitted no later than early to mid-January in order to enable proper scrutiny of the proposed compliance criteria to be undertaken by DfT in preparation for consideration by the FCO.
- 6.6 It will be necessary for domestic legislation to be enacted by 25<sup>th</sup> February, 2019 if ratification is to be achieved by 29<sup>th</sup> March, 2019. This will then facilitate completion of the necessary ratification papers required to be signed by the Foreign Secretary and dispatched by the FCO to the UN in New York no less than 30 days before the proposed ratification date.



- 6.7 The proposed legislation is addressed in more detail in sections 7 to 12 below.

## **7 Introduction of a formal register of driving instructors**

### *Current position*

- 7.1 The Committee has already introduced a voluntary register for driving instructors that includes undertaking an enhanced Disclosure and Barring Service (DBS) check and signing up to a Code of Practice and is already progressing the introduction of a mandatory register.
- 7.2 The mandatory register will contain the requirement to undertake examined elements that include a theory and hazard perception test, a practical test and a test for ability in instruction. To ensure that a registered driving instructor continues to operate to a high standard they will be required to undertake a further examination check every 3 years, as well as an updated DBS check and re-signing of the Code of Practice.

### *Compliance requirements for the Vienna Convention*

- 7.3 Paragraph 5 ter. of Article 3 of the Convention states that ‘Whenever driving instruction for learner drivers is provided by professional driving establishments, domestic legislation shall lay down minimum requirements concerning the curriculum and qualifications of the personnel responsible for providing such instruction’.
- 7.4 A *Projet de Loi* introducing the mandatory register has already been approved by the Legislation Review Panel for submission to the States. The Committee *for the Environment & Infrastructure* intends that the *Projet de Loi* is debated at the December, 2018 meeting of the States of Deliberation.
- 7.5 Once it has subsequently received Royal Sanction and been registered in the Royal Court then a Regulation of the Committee *for the Environment & Infrastructure* will set the date for introduction of the mandatory scheme, prescribe a number of conditions and provide specific details of the scheme in accordance with the principles laid down in Article XI of Billet d’État No. XXVI of 2014.

## 8 Amendments to seat belt laws

### Current position

- 8.1 The fitting and wearing of seat belts in the front seats of motor vehicles has been compulsory in Guernsey since 1988 and in the rear seats for children since 2004, as prescribed in the Seat Belts Ordinance, 1988. The legislation falls under the mandate of the Committee *for* Home Affairs. The opportunity will be taken to propose minor amendments which will modernise and update this legislation, but which are in addition to those changes necessary for the purpose of compliance with the Vienna Convention.

### Compliance requirements for the Vienna Convention

- 8.2 Paragraph 58 of Chapter II, Annex 5, of the Vienna Convention sets out the requirements for the fitting of seat belts. It states that wherever technically practicable all forward-facing seats of vehicles of category B as referred to in Annexes 6 and 7 of the Convention (car or car + small trailer), with the exception of vehicles constructed or used for special purposes as defined by domestic legislation, shall be equipped with approved safety belts or similarly effective approved devices. In order to comply with the Vienna Convention requirements it is proposed that the Seat Belts Ordinance, 1988 should be amended to provide for the requirement that seat belts must be fitted to all forward facing seats of motor vehicles and in the case of rear and middle seats they must be fitted in all vehicles first registered or manufactured after 1<sup>st</sup> April 1987 (subject to current exemptions).
- 8.3 Article 7 (5) of the Convention provides that the wearing of seat belts is compulsory for drivers and passengers of motor vehicles, occupying seats equipped with such belts, save where exceptions are granted by domestic legislation. It is proposed that the Seat Belts Ordinance, 1988 should be amended to require passengers travelling in all forward facing seats of motor vehicles to wear a seat belt (subject to current exemptions).
- 8.4 The Committee *for* Home Affairs, having considered the case for the compulsory fitting and wearing of seatbelts in the rear of motor vehicles, are supportive of Guernsey complying with the requirements of the Vienna Convention, this is in addition to any resultant improvements from a road safety perspective.
- 8.5 There are no anticipated additional resource implications relating to these proposals. Offences relating to the fitting and wearing of seat belts can be dealt with by way of a fixed penalty notice. The wearing of rear seat belts is

compulsory in many other jurisdictions including the United Kingdom since 1991 and in Jersey since 2009.

Other proposed changes

- 8.6 The Committee *for* Home Affairs considers that the requirement to make necessary changes to ensure compliance with the Vienna Convention provides an opportunity to make further minor amendments to modernise and clarify the seat belt legislation. In this regard it is proposed that the following changes are introduced:-
- a) As is currently the position with front seats, if a seat belt is not fitted in a rear forward facing seat, but should be, it is not permissible for a person to travel in that seat and it would therefore be an offence (subject to current exemptions);
  - b) Children under 12 years who are less than 135cm tall must use an ancillary device, such as a booster cushion, and children below 6 years must use a child restraint;
  - c) The current provisions exempting the wearing of seat belts in certain circumstances will also apply to the wearing of belts in the rear and middle seats;
  - d) The responsibility for ensuring that children under 14 wear the appropriate seat belt for their ages rests with the driver of the vehicle.
- 8.7 The Seat Belts Ordinance, 1988 will require amendment in order to accommodate all of the above proposals.

**9 Rules of the Road - Statutory authority for a Highway Code, provision of a Guernsey Highway Code Supplement and other legislative amendments**

Current position

- 9.1 The majority of the current “rules of the road” in domestic legislation are contained in old Ordinances, such as the Ordonnance relative au Trafic Vehiculaire en cette Ile of 29<sup>th</sup> March, 1929, which are outdated. Other provisions are contained (among others) in the Traffic Signs and Traffic Light Signals Ordinance, 1988, the Road Traffic (Construction and Use of Motor Vehicles) Ordinance, 2002 and the Lighting of Vehicles and Skips Ordinance, 1988.

- 9.2 The UK Highway Code has no legal status in Guernsey. Many of the requirements in Chapter II of the Vienna Convention are covered in the UK Highway Code and the UK is relying on those provisions for compliance with the Convention.

*Compliance requirements for the Vienna Convention*

- 9.3 It is proposed that provision should be made to give the Committee *for the Environment and Infrastructure* the power to issue a Highway Code for Guernsey. Initially at least this would be done by incorporating the provisions of the UK Code, which in so far as they relate to matters which do not apply in Guernsey are useful for Bailiwick residents when travelling in the UK and further afield, and providing a Guernsey supplement for matters such as filters which are peculiar to Guernsey. Breach of the provisions of either Code would not constitute an offence but could be taken into account by a court in proceedings for any relevant offence.
- 9.4 Giving statutory authority to the recognition of such a Highway Code, will facilitate compliance, without the necessity to enact detailed legislation, with many of the extensive requirements in the Convention as to the "rules of the road".
- 9.5 However, it will still be necessary to make some alterations to existing legislation and, amongst other matters, this will include:
- I. Traffic Signs & Traffic Light Signals Ordinance, 1988 – including legislation to give precedence to temporary signs over established signs or signals, prohibition of parking or waiting on cycle lanes and tracks, designating the provisions relating to cycle lanes, contraflows and tracks, regulating driver speeds on approach to a crossing, control progress of drivers through green signals when pedestrians are still crossing and to control entry to a signalised junction if the exit is congested;
  - II. Lighting of Vehicles and Skips Ordinance, 1988 – relaxation of rules to allow provision for daytime running lamps;
  - III. Road Traffic (Speed Limits and Trials) Ordinance, 1987 - regarding the control over which a driver has of a vehicle in different circumstances and clarifying certain exemptions for emergency vehicles;
  - IV. Road Traffic (Construction and Use of Motor Vehicles) Ordinance, 2002 – various issues in respect of the loading of vehicles , preventing noise, dust or nuisance and other related matters;

- V. Ordonnance relative au Trafic Vehiculaire en cette Ile of 29<sup>th</sup> March, 1929 – additional wording on behaviour of drivers when mounting a footpath and prescribing a separate offence of parking or waiting on a footpath.
  - VI. Changes to the behaviour required of motorists in the case of an accident as described in Article 31;
  - VII. Various other minor changes to legislation governing the exemptions listed in Article 34 and relating primarily to the actions of road users when emergency vehicles are approaching using luminous and audible warning devices, the exclusion from the need for drivers of priority vehicles using luminous and audible warning devices to abide by the provisions of Chapter II, provided that they do not endanger other road users, and certain exemptions relating to persons working in construction, repair or maintenance of a road.
- 9.6 It might also be necessary to repeal and replace certain other outdated Ordinances if it is considered expedient to do so for the purposes of compliance with the Vienna Convention and in order to update and consolidate existing road traffic legislation in the interests of clarity and accessibility.

#### Other proposed changes

- 9.7 Other minor legislative amendments not required by the Vienna Convention relate to the Traffic Signs & Traffic Light Signals Ordinance, 1988 and will update the schedules to include a number of additional signs and road markings and an update to the offences section.

## **10 The introduction of a system of trailer registration**

### Current position

- 10.1 Trailers are not currently required to be registered in the Bailiwick. Larger commercially manufactured trailers will be plated but certain domestically built trailers will not.

*Compliance requirements for the Vienna Convention*

- 10.2 Article 35 (1) requires that in order to be entitled to the benefits of the Vienna Convention, every motor vehicle in international traffic, and every trailer, other than a light trailer, coupled to a motor vehicle shall be registered by the contracting party and must carry a registration certificate. A trailer is defined as any vehicle designed to be drawn by a power driven vehicle and includes semi-trailers. A light trailer is considered to be a trailer up to a maximum of 750kg.
- 10.3 Article 36 requires that motor vehicles and registered trailers display a registration mark. Article 37 requires the displaying of a distinguishing mark (GBG) and Article 38 requires that every trailer in international traffic shall bear the identification mark specified in Annex 4: i.e. name of maker, production or serial number.
- 10.4 It is understood that several EU Member States have already taken an interest in unregistered UK trailers in international traffic resulting in fines and delayed journeys, albeit that this has tended to concentrate on larger commercial trailers and the risk of domestic trailers being targeted is considered by the DfT to be much less likely.
- 10.5 Accordingly, there is a need to make provision for the establishment of a trailer registration scheme in Guernsey with similar provisions as previously made to other motor vehicles generally. Following the position being adopted in the UK and proposed in Jersey, it is proposed that the requirements are made compulsory for commercial trailers over 750kg and non-commercial trailers over 3,500kg (maximum authorised mass) in international traffic and voluntary for non-commercial trailers under 3,500kg in international traffic.
- 10.6 It is not envisaged that there are many larger trailers that will need to go on the Guernsey register as their use in international traffic is understood to be extremely infrequent. However, it is considered sensible to allow for the voluntary registration of smaller trailers such as horse boxes and caravans to protect against potential difficulties when travelling abroad.
- 10.7 Registration fees will be the same as for motor vehicles, currently £42, and a fee for inspection of the vehicles prior to registration and periodically thereafter will need to be determined in any proposed legislation.

## **11 The updating of vehicle technical standards and the introduction of periodic technical inspections of motor vehicles**

### *Current position*

- 11.1 Vehicle technical standards are currently set out in the Road Traffic (Construction and Use of Motor Vehicles) Ordinances, 1971 and 2002. These cover the basic principles of vehicle design and safety standards, including working brakes, mirrors, audible warning devices, effective steering mechanism, working lights, minimum tyre depths and defective body work, and it is currently an offence to drive a motor vehicle in an un-roadworthy condition. In the absence of updated standards and any mandatory scheme for the technical inspection of motor vehicles, with the current exception of licensed public service vehicles which are inspected annually as part of the licensing requirements, the safety of motor vehicles on Bailiwick roads is primarily reliant on the owner of the vehicle maintaining it to an appropriate standard.
- 11.2 Notwithstanding the above, the Police do conduct regular roadside inspections. These inspections cover all vehicle types, including cars, taxis and commercial vehicles. Any serious defect that is identified will result in a vehicle being taken off the roads immediately. Lesser issues are dealt with under the Island's "vehicle rectification scheme", which requires that owners re-present vehicles to the Police within two weeks of a failed inspection with the identified fault(s) rectified. Failure to comply is an offence and will lead to prosecution. However, this is not and never will be an adequate means of ensuring that all motor vehicles are maintained to an appropriate and safe standard.

### *Compliance requirements for the Vienna Convention*

- 11.3 Construction and use legislation will need to be strengthened in order to ensure that appropriate vehicle standards are in place to meet the requirements of the Vienna Convention as detailed in Annex 5 at the point of registration and to enable the subsequent establishment of periodic testing for motor vehicles to ensure that these standards continue to be maintained throughout the life of the motor vehicle.
- 11.4 Paragraph 1 of Article 39 of the Vienna Convention requires that every motor vehicle, every trailer and every combination of vehicles in international traffic shall satisfy the provisions of Annex 5. This sets out the minimum technical standards for motor vehicles and trailers which must be adhered to. It further requires that all vehicles in international traffic must meet those same standards as when they first entered into service.

- 11.5 For domestic vehicles entering international traffic, an interim option prior to a full testing regime being put in place would be to just inspect those vehicles prior to leaving the Island in order to ensure that they meet the standards set out in the Vienna Convention. There are currently c. 4,400 Bailiwick registered motor vehicles and 300 motorcycles travelling into Europe per annum through the French Port of St. Malo. A percentage of the vehicles will be under the proposed age to be subject to technical inspections but the majority will not. It is considered that some form of checking process could be introduced prior to travel to ensure that motor vehicles leaving the Island for Europe have undertaken the necessary checks.
- 11.6 The standards contained in Annex 5 of the Vienna Convention include – braking, vehicle lighting and signalling devices, steering mechanisms, mirrors, audible warning devices, windscreen wipers and washers, windscreens and windows, reversing devices, exhaust silencer, tyres, speedometer, warning devices to be carried on motor vehicles, anti-theft devices, restraining devices and other general provisions including driver’s field of vision and side and rear-under run devices. All of these requirements will need to be included in domestic legislation if not already provided for and appropriate testing standards included in the subsequent vehicle inspections. Provision needs to be made for certain exemptions to be applied to prescribed vehicles.
- 11.7 It is also recommended that a system of inspecting certain second hand vehicles at point of first registration in Guernsey should be introduced to ensure that the standard of vehicles coming into the Island meet or exceed the same standards expected of domestic vehicles under the Vienna Convention.
- 11.8 Paragraph 2 of Article 39 requires periodic technical inspection of all passenger carrying vehicles with more than eight seats in addition to the driver’s seat. Licensed passenger carrying vehicles (including taxis) are currently subject to annual technical inspection in Guernsey. However, there is no periodic mandatory inspection regime in place for any other passenger carrying vehicles so this would need to be introduced for compliance purposes. It also requires periodic technical inspection of motor vehicles used for the carriage of goods whose permissible maximum mass exceeds 3,500kg and trailers designed to be coupled to such vehicles.
- 11.9 Paragraph 3 of Article 39 requires that domestic legislation shall, as far as possible, extend the provision of paragraph 2 to other categories of vehicle. In effect this is saying that the inspection regime should also be extended to all other vehicle types, i.e. cars and motorcycles. DfT has advised that it would not be considered reasonable to suggest that some 50 years after the Convention was introduced that it is not possible to test all vehicle types in domestic traffic and that a suitable and fully justified case would need to be presented in the event that a phased or delayed introduction to such testing was proposed.



- 11.10 By their very nature International treaties are designed to standardise rules across contracting parties so that the same conditions will be experienced by persons resident in one contracting party if travelling in another contracting party. In this way the various conventions on Road Traffic seek to facilitate international road traffic and to increase safety through the adoption of uniform traffic rules. Seeking to opt out of testing vehicles in domestic traffic is not therefore an option.
- 11.11 There is no doubt that the introduction of a comprehensive regime of periodic technical inspections of motor vehicles will represent a step change for Guernsey and, irrespective of the operational model selected, will present a variety of logistical and operational challenges that will have to be overcome; including land availability, set up cost and access to qualified technicians.
- 11.12 There are also a significant number of factors that need to be determined as part of establishing a Technical Inspection regime. These are covered in more detail in Appendix A and include:
- a) The standard of testing;
  - b) The frequency of testing;
  - c) The number of tests required on an annual basis;
  - d) The type of testing model to be adopted:
    - I. Public sector owned and operated;
    - II. Private sector single operator (option for Public sector owned site / building;
    - III. Private sector multiple operators.
  - e) Resource implications, costs and fees;
  - f) Phasing and prioritisation.
- 11.13 It is recognised that in seeking to introduce an inspection regime that complies with the requirements of the Vienna Convention, it is also important to ensure that any changes are both proportionate and reasonable, recognising the very different driving conditions in Guernsey. In particular, with regard to cars and, to a lesser extent, light vans, many people never take their vehicles abroad and cover only minimal annual mileage domestically. This in itself provides a strong argument for a more relaxed inspection regime to be introduced in Guernsey.

- 11.14 There are other local considerations to be taken considered when determining an appropriate level of testing; such as low annual mileage levels, age profile and condition of vehicles on our roads, low speed limits and associated average vehicle speeds and accident data. Again, these are all explored in more detail in Appendix A. In summary, the following inspection periods are recommended which are identical to what is currently being proposed in Jersey and at five years old and then every three years for cars is much less onerous than in the UK which is at just three years old and then annually thereafter.

Table 1 – Proposed inspection frequency for Periodic Technical Inspections

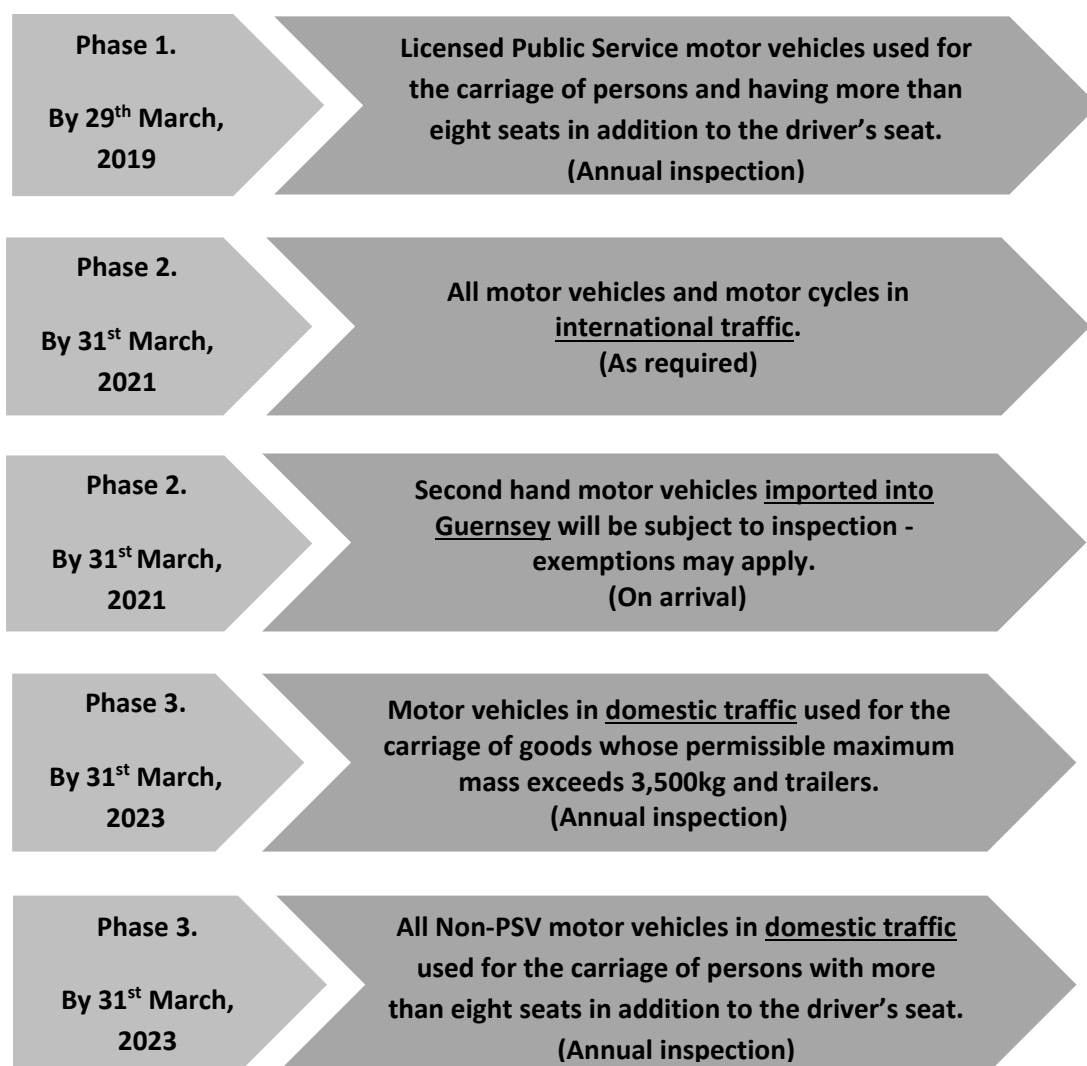
Category	Description	Regime
Licensed Public Service Vehicles	Buses, Coaches, Taxi, Private Hire Cars and Omnibuses	Annual Inspection
Commercial	Any vehicle over 3.5T	Annual Inspection
Minibuses	Non-PSV vehicles with more than 8 seats plus the driver's seat	Annual Inspection
Cars & Light Vans	Any vehicle under 3.5T	5yrs + 3yrs thereafter
Motorcycles	Motorcycles (initially those over 125cc)	3yrs + 2yrs thereafter
All vehicles in <b>International Traffic</b>	All vehicles leaving for St. Malo or another EU destination.	Inspection prior to departure (if before testing commences)
All vehicles in <b>Domestic Traffic</b>	All vehicles circulating on Island roads	Existing Police Roadside checks

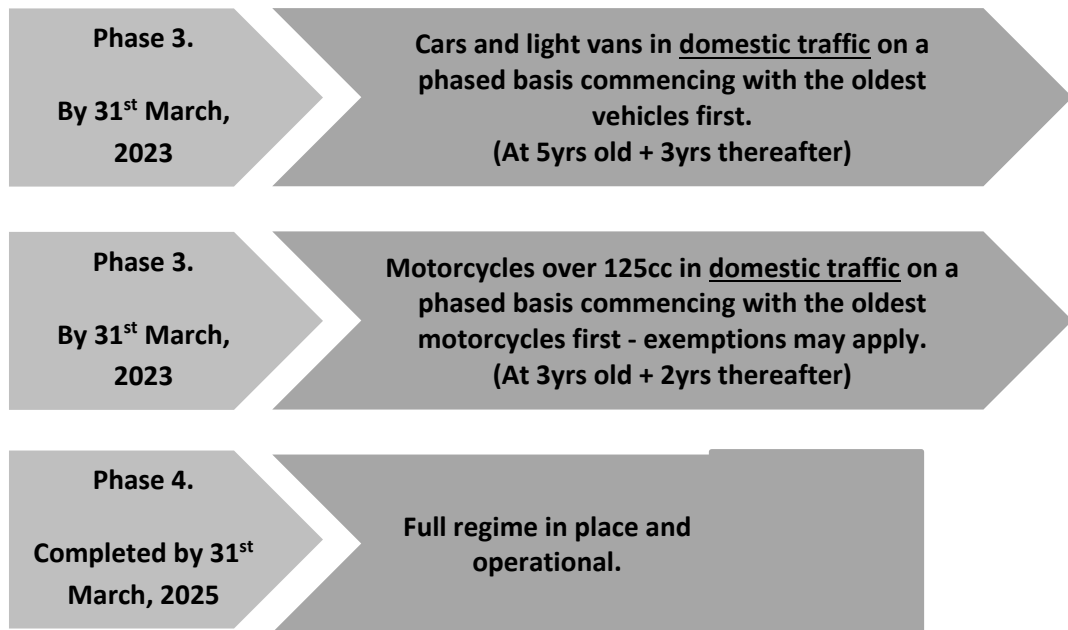
- 11.15 In accordance with paragraph 1 of Article 39 every motor vehicle, every trailer and every combination of vehicles in international traffic shall satisfy the provisions of Annex 5 of the Vienna Convention. Accordingly, prioritisation can and probably should be given to vehicles in 'international traffic'. However, paragraph 2 requires that all passenger carrying and goods vehicles of a certain capacity and size respectively are also subject to periodic inspections and paragraph 3 recommends that this be extended to 'other categories of vehicles (i.e. cars, light vans and motorcycles) as far as possible.
- 11.16 Given the aforementioned observations regarding the step change that the introduction of periodic technical inspections for motor vehicles will represent for the Bailiwick and, in light of the logistical and operational challenges that will have to be overcome, it is proposed that a pragmatic and phased approach

is taken to this matter in terms of investigating, determining and implementing an appropriate solution for Guernsey.

11.17 The mechanism to achieve this will be as follows:

- a) To update existing legislation relating to vehicle standards and to introduce the requirement for the periodic technical inspection of motor vehicles;
- b) To evaluate the testing model options detailed in section 11.12 (d) above which could take up to six months to complete;
- c) Once an appropriate inspection regime has been agreed, the final step is to facilitate the commencement of a phased approach to periodic technical inspections in accordance with the requirements of the Vienna Convention on the following basis:





11.18 In addition to the above, the Police have confirmed that they will continue to prioritise the inspection of motor vehicles and trailers through regular roadside inspections on an ongoing basis.

#### Other proposed changes

11.19 The opportunity is also being taken to update the requirements relating to vehicle standards for rear-view mirrors by requiring that every motor vehicle is equipped with an appropriate number of mirrors to enable the driver to see the traffic to the rear and down both sides of the vehicle as far as is practicable.

11.20 Whilst it will not be specifically proposed within the detail of this Policy Letter, it is considered that the possibility of introducing vehicle emissions tests as part of the vehicle inspection process should be investigated prior to the new testing regime being introduced and that any specific recommendations to include emissions testing should be considered separately by the States in due course.

## 12 Updating of International Circulation legislation

### Current position

- 12.1 The Motor Vehicles (International Circulation) (Guernsey) Ordinance, 1974 currently provides for the issuing of International Driving Permits (IDPs) for Guernsey driving licence holders wishing to drive in any of the countries that are signatories to the 1926 Paris and 1949 Geneva Conventions. Presently the majority of Bailiwick residents driving in Europe do not actually apply for an IDP despite the fact that technically they are required to do so. It is going to be recommended that an IDP is obtained post-Brexit and particularly in the event of a no-deal scenario.
- 12.2 Visiting drivers from any jurisdiction that is a signatory to the Paris or Geneva Conventions are currently permitted to drive in Guernsey either with an IDP (a translation of driving licence entitlement) or a valid domestic permit in the category of vehicle that they are driving.

### Compliance requirements for the Vienna Convention

- 12.3 Article 41 (2) requires that contracting parties recognise domestic driving permits that are compliant with Annex 6 of the Vienna Convention (a photo identity licence) and any IDP conforming to Annex 7 (a paper document providing a translation of the domestic driving licence entitlement) in the same way that 1926 Paris and 1949 Geneva IDPs are currently accepted.
- 12.4 Arguably Article 41 (2) should convey the same rights as described in 12.2 above to Guernsey Driving Licence holders wishing to drive abroad as Guernsey-issued driving licences comply with Annex 6 of the Vienna Convention. However, it is understood that some EU Member States have interpreted Article 41 (2) differently and may still require IDPs to be issued to visiting drivers. Accordingly, provision will be made for issuing Vienna IDPs to anyone travelling into Europe post-Brexit for any of the 41 European countries that are signatories to the Vienna Convention, many of whom are already signatories to the Geneva Convention. This will include Germany, Switzerland, Latvia, Lithuania, Estonia and Croatia as well as a number of other former Russian States which are not signatories to the Geneva Convention.
- 12.5 Existing one year Geneva Convention IDPs will still be required for driving in Spain, Ireland, Turkey, Cyprus and Malta which are not currently signatories to the Vienna Convention. It should be noted that people driving to Spain via France would need to apply for both a Geneva IDP and a Vienna IDP as, whilst Vienna IDPs take precedence over Geneva IDPs between signatories of both

Conventions (which Guernsey and France would be), motorists wishing to drive onwards to Spain would also need a Geneva IDP as Spain is only party to the Geneva Convention. Most other journeys across Europe could be made using just a Vienna IDP.

- 12.6 Other requirements for the issuing of Vienna Convention permits include the requirement to display a distinguishing sign (GBG) on motor vehicles and trailers as currently required for the Geneva Convention and the requirement for visiting vehicles to comply with domestic legislation governing size and weight and any associated requirement for restricted access.
- 12.7 IDPs will continue to be issued by Driver and Vehicle Licensing from its Bulwer Avenue Office and will be valid for up to three years depending on the date of expiry of the domestic driving permit (for Vienna IDPs) and one year (for Geneva IDPs).
- 12.8 Subject to ratification of the Vienna Convention, it may be possible to issue post-dated Vienna IDPs valid from 29<sup>th</sup> March, 2019 for people travelling abroad over the Brexit period.
- 12.9 In respect of visiting drivers to Guernsey, it is proposed to issue the same rights in respect of signatories of the Vienna Convention as currently provided under the Geneva Convention as detailed in Section 12.2 above.

### **13 Requirements for ratification of the Vienna Convention**

- 13.1 In the event that the States decide to ratify the Vienna Convention then the DfT would need to write to the FCO on Guernsey's behalf requesting the drawing up of the instrument of ratification for extension, to include a list of reservations and declarations, for signature by the Foreign Secretary followed by deposition at the United Nations (UN) offices in New York by 25<sup>th</sup> February, 2019 if the Vienna Convention is to come into force by 29<sup>th</sup> March, 2019.
- 13.2 Any outstanding legislative requirements upon which compliance with the Vienna Convention rests would need to be in place prior to the instrument of ratification being lodged at the UN.
- 13.3 For the avoidance of doubt the territorial extent of the Convention would apply to Guernsey and the neighbouring islands of Herm and Jethou only.
- 13.4 The areas being addressed through reservations and declarations are identical to those proposed by the UK and are as follows:

### *Reservations*

- Article 20 (6) (b) – concerning pedestrians crossing the highway in the vicinity of a controlled crossing (this will avoid the need to introduce a “jaywalking law” forcing pedestrians to use formal crossing points where available);
- Article 23 (2) (a) – parking direction (does not permit parking on a carriageway other than facing the direction of traffic);
- Article 30 (4) – Securing and marking of loads (this is a partial reservation to allow certain loads in domestic traffic);
- Article 32 (6) (8) (9) & (10) – display of lamps by motorcycles during the day and use of parking lamps at night;

### *Declarations*

- **Highway Code** – subject to the aforementioned proposed legislative changes, Guernsey will declare that it is compliant with many of the “rules of the road”, as detailed in Chapter II of the Vienna Convention, through the Highway Code (road safety and vehicle rules). It is proposed to utilise the UK Highway Code and rely on it for conformity with the bulk of these requirements which it covers but violation of which is not intended to constitute a criminal offence in itself. The new Ordinance will provide statutory authority for a Highway Code to be made, including the ability to incorporate Codes or provisions from elsewhere and provide that contravention may be used in evidence in any court proceedings to establish liability.
- **Distinguishing Sign** – In accordance with Article 45 (b), declare that, for the purposes of the application of the Vienna Convention, the distinguishing sign to be displayed on vehicles in international traffic shall be ‘GBG’ and that the same distinguishing sign be used on vehicle registration certificates issued in accordance with Article 35 (1) (c) (i).
- **Mopeds** – In accordance with Article 54(2), declare that, for the purposes of the Vienna Convention, Guernsey treats mopeds as motorcycles which means they must be registered as a motor vehicle and a driving licence in the appropriate category is required to ride one.
- **Electrically Assisted Powered Cycles (EAPC)** – Declare for the purposes of the application of the Vienna Convention, Electrically Assisted Pedal Cycles (EAPC) meeting the criteria set out in the regulations are treated

as cycles which means that they do not need to be registered as a motor vehicle and a driving licence is not required to ride one.

## **14 The Islands of Sark and Alderney**

- 14.1 Sark has a limited amount of motor traffic which is restricted to tractors for agriculture and hauling goods around the Island and is subject to a permit scheme operated by the Sark Government (the Sark Chief Pleas). Where a Sark resident has a Driving Licence for use outside the Island it will be issued by Guernsey and licence holders will be subject to Guernsey licensing and testing requirements. Accordingly, Sark residents can be issued a Vienna Convention compliant IDP irrespective of whether the Island has ratified the Convention. Vehicles owned by Sark residents, other than tractors kept in Sark, are also registered in Guernsey (or elsewhere) and those with Guernsey registration marks will be subject to Guernsey registration and testing requirements. There is no flow of traffic from Sark into other parts of the Bailiwick, UK or International traffic and therefore any proposal to extend the ratification of the Vienna Convention does not need to include Sark.
- 14.2 Alderney has a population of circa 2000 and there is a similar number of commercial, passenger carrying and private vehicles registered on the Island. Importantly, Driving Licences for Alderney residents are issued by Guernsey and licence holders are subject to Guernsey licensing and testing requirements. Accordingly, Alderney residents can be issued a Vienna Convention IDP irrespective of whether the Island has ratified the Convention. However, the position in terms of motor vehicles will be different in that by not ratifying the Vienna Convention, Alderney will not be introducing the requirement for vehicle technical inspections and thus would have to rely on existing rights granted under the Geneva Convention for vehicles circulating in international traffic. There is only limited flow of traffic from Alderney in and out of Guernsey and the UK and no direct flow into Europe, albeit a number of Alderney vehicles are known to be driven in France. Following consultation with the Alderney Government, it has been determined by Alderney that it does not wish to ratify the Vienna Convention at this time.

## **15 Resource Implications**

- 15.1 To date all investigations into the potential implications for Road Transport and Driving Licences arising from Brexit, together with associated investigations into potential contingency arrangements including the completion of a detailed compliance matrix in relation to the proposed ratification of the Vienna Convention, have been led by senior management in Traffic and Highway



Services. Assistance has also been received from staff in the External Relations Brexit Monitoring Team and the Law Officers.

- 15.2 However, it is acknowledged that technical input will be required on a number of aspects moving forward; including the establishment of test requirements and standards for periodic technical inspections of motor vehicles and in support of the development of the necessary business and subsequent procurement cases for establishing the framework to deliver any associated tenders, awarding of subsequent contracts to service providers and management or oversight of delivery programmes. Further assessment, justification and prioritisation will need to be given to these requirements in due course.

## **16 Capital & Revenue Costs**

- 16.1 In terms of periodic technical inspections of motor vehicles every effort has been made to ensure that a regime that is both proportionate and reasonable in nature is introduced.
- 16.2 There are three principal options for introducing Testing:
- I. Public Sector owned and operated - *Northern Ireland model*;
  - II. Private Sector Single Operator (option for State owned site) – *Republic of Ireland model*; or
  - III. Option C: Private Sector: Multiple Operators – *England, Scotland & Wales model*.
- 16.3 Each option has its own merits. What is clear is that the States of Guernsey do not currently have any experience of operating test centres and would need to buy-in significant external expertise. A single operation site would require a dedicated area of considerable size and require the construction of a suitable test facility with associated equipment.
- 16.4 It is possible that Guernsey and Jersey could co-tender for a solution with the opportunity of securing a more advantageous contract with any successful tenderer if the same method of testing is selected. However, the current Guernsey proposals are not as advanced as Jersey's in terms of proposed implementation dates and this might prove to be problematic.
- 16.5 A further option would be the possibility of a number of smaller test sites being set up, most likely at existing garages in the Island. Preliminary discussions with the Guernsey Motor Trade Association have certainly not dismissed this as an option.

- 16.6 It is anticipated that whatever method of inspection regime is introduced for periodic technical inspections of motor vehicles the operation will be self-funding and that these charges will also contribute towards the cost of any capital investment associated with the provision of testing facilities including equipment, premises and computer management hardware and software.
- 16.7 Repayment timeframes will very much depend on the method of implementation chosen. Fees will be designed to cover the cost of the service provided. This matter is explored in more detail in Appendix A.

## **17 Legislation**

- 17.1 The various requirements for legislation are detailed in Sections 7 – 12 above.

## **18 Conclusions**

- 18.1 Bailiwick residents currently enjoy largely unhindered access to EU roads thanks primarily to the UK's existing membership of the EU and also by virtue of the benefits afforded through ratification of the Geneva Convention. There are exceptions, most notably Spain, where Geneva Convention IDPs are sometimes required but very few people currently apply for an IDP when travelling within Europe and are rarely challenged, even if driving in a non-Geneva Convention country.
- 18.2 The UK's forthcoming withdrawal from the EU casts doubt over some of the existing privileges that exist and there is an increasing risk that GB drivers will be treated differently from 29<sup>th</sup> March, 2019.
- 18.3 The potential outcome of a no-deal scenario heightens this risk and might impact a few hundred Bailiwick residents each year wishing to drive in countries such as Germany, Switzerland or Latvia with whom there are currently no formal arrangements for mutual recognition of Driving Licence entitlement. However, it might also have an impact on thousands of Bailiwick residents that ride or drive in Europe annually in the event that the French or neighbouring European countries decide to subject Bailiwick residents to more rigorous vehicle and Driving Licence checks post-Brexit on entry to Europe at the Port of St. Malo or elsewhere on European roads.
- 18.4 In readiness for Brexit, the UK has decided to ratify the Vienna Convention as a contingency plan for its vehicles and drivers. Whilst not in itself a panacea to all of our problems, ratification of the Vienna Convention would at least portray Guernsey drivers and vehicles in a similar light as most other EU Member States

who have now signed up to the Vienna Convention. The immediate benefits would include:

- a) The ability to drive in five more EU Member States, namely Germany, Latvia, Lithuania, Estonia and Croatia plus Switzerland and a number of former Russian States;
- b) The opportunity to be issued with a Vienna IDP valid for up to three years in c. 41 participating countries in and around Europe;
- c) A reduced risk of vehicles being stopped or inspected at the roadside;
- d) Enhanced domestic road safety standards.

18.5 Ratification does of course require a number of legislative changes to be introduced and this will need to be weighed against the perceived benefits and risks of not taking appropriate action at this time.

18.6 A thorough evaluation of the various options for introducing periodic technical inspections of motor vehicles and trailers together with industry consultation could take up to six months to complete. Subsequent site investigations / acquisition of land, tendering exercises, the potential requirement to build bespoke testing facilities and integration with driver and vehicle licensing systems could add a further two years plus to the development process. External technical advice and a full-time project manager type role over an extended period would very likely be required in order to take this project forward.

18.7 Whichever method is selected, it is clear that a testing solution could take up to three years to introduce and this is reflected in the proposed phased implementation plan in section 11 of this Policy Letter.

18.8 Given that the potential benefits of ratification and the associated road safety improvements that it will promote, it can be strongly argued that compliance is a requirement worth undertaking. The signatories to this Policy Letter consider that the phased approach to introducing periodic technical inspections of motor vehicles and the other measures outlined in this Policy Letter represent a proportionate and pragmatic way of meeting the requirements of the Vienna Convention whilst minimising the overall practical and financial impact on the general public and the Island generally.

- 18.9 Irrespective of the decision of the States on this matter, a number of practical operational steps have already been undertaken with a view to preparing for any potential change, including:
- a) Re-design of the Guernsey-issued Driving Licence to include improved security features and the addition of the distinguishing sign (GBG) on the front of the plastic card;
  - b) Addition of the distinguishing sign (GBG) to Guernsey-issued Vehicle Registration Certificates;
  - c) Reviewing and replenishing existing stocks of 1949 Geneva IDPs and securing access to the DfT's artwork for the early production of 1968 Vienna Convention IDPs in the event that it is decided by the States of Deliberation to ratify the Vienna Convention.

## **19 Compliance with Rule 4 of the Rules of Procedure**

- 19.1 This Policy Letter is submitted jointly by the Committee *for the* Environment & Infrastructure and the Policy & Resources Committee.
- 19.2 In accordance with Rule 4(1), the Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications.
- 19.3 In accordance with Rule 4(2), the Presidents of the two Committees are requesting that this matter is debated at the December, 2018 States' meeting in order to meet the various deadlines for seeking ratification of the Vienna Convention on 29<sup>th</sup> March, 2019 or as soon as possible thereafter.
- 19.4 In accordance with Rule 4(3), the two Committees note that any financial implications arising from the Propositions are intended to be self-funding. The administration of any additional services required to facilitate the changes detailed in this Policy Letter will be met from existing resources or, as in the case of the introduction of periodic technical inspections of motor vehicles, will be addressed as part of a subsequent business case and project plan reviewing the potential operating models and resources required to implement this specific requirement.
- 19.5 In accordance with Rule 4(4) of the Rules of Procedure of the States of Deliberation and their Committees, it is confirmed that the Propositions above have the unanimous support of the two Committees.

- 19.6 In accordance with Rule 4(5), the Propositions seek to uphold Guernsey's international identity and the entitlement of its residents to retain the existing privileges that they enjoy in being able to circulate motor vehicles and to drive overseas without experiencing undue hindrance. In particular, it aims to minimise the risk of any adverse implications for road transport and driver licensing matters arising from the UK's withdrawal from the EU. Failure to address these issues has implications not only for the resident population but also in respect of the Island's Strategic Population Policy in terms of attracting off-island workers and in terms of International Standards Policy of aspiring to meet relevant international standards applying to road transport.

Yours faithfully

G St. Pier  
President, Policy & Resources Committee

B Brehaut  
President, Committee *for the* Environment & Infrastructure

L Trott  
Vice-President, Policy & Resources Committee

M Dorey  
Vice-President, Committee *for the* Environment & Infrastructure

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## Appendix A - Analysis of options for the introduction of Periodic Technical Inspections for all Motor Vehicles in Guernsey

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## Introduction

A system of periodic technical inspections for motor vehicles is a mandatory requirement for ratification of the Vienna Convention. In order to achieve this requirement it will firstly be necessary to amend domestic legislation governing vehicle technical standards in order to establish the minimum standards that need to be upheld prior to determining the testing process to which motor vehicles will need to adhere.

This report looks in more detail at the potential standards, frequency, prioritisation and phasing in of periodic technical inspections and takes particular account of the fact that driving conditions in Guernsey are very different to the UK and the rest of Europe and that there are a number of logistical and practical challenges that will need to be addressed if such testing is to be introduced.

## The standard of testing to be applied

Testing throughout Europe, including the UK, follows three principle stages:

- Stage 1 – Chassis Number check, Emissions test (Petrol and Diesel engines), Headlight alignment and functional lights and indicators, internal visual inspection and tyre pressure checks;
- Stage 2 – Brake tester, suspension and side slip check;
- Stage 3 – Visual inspection on lift including underbody corrosion, shaker / turning plates for steering checks, brake cables and tyre depths.

Advisories are often issued in respect of tyre age / wear or number plate lighting. All other test failures including faulty bulbs and wipers result in a formal test fail and the need for a visual re-inspection. Other more significant failures require a full retest at a further cost.

The requirements of the Vienna Convention are met and exceeded by these levels of checks, with an emissions test being the most obvious difference to what was a set of standards introduced over 50 years ago. Whilst there is merit in introducing a testing regime that is similar in nature to the measures currently applied elsewhere in Europe, it is recognised that such checks need to be proportionate so, as a minimum, the checks in Guernsey would need to meet the requirements of the Vienna Convention. This will require the creation of appropriate manuals and guidance listing the standards to be applied to the inspections and the subsequent impact these requirements will have on the outcome of the test.

It is expected that the most difficult elements of the test will relate to aspects which rely on a certain degree of professional judgement in respect of issues such as corrosion and whether it is considered to be cosmetic or structural in nature. Accordingly, it will be necessary to install an appropriate level of independent assessment of the standard of testing applied together with an appropriate appeals process for anyone aggrieved by the outcome of a test.

## The frequency of testing required

It is appreciated that conditions for driving in the Bailiwick are very different from continental Europe and this is explained in more detail below. On this basis there is considered to be sufficient justification to introduce a more relaxed testing regime for cars and light vans than is currently recommended by the EU.

**Annual Mileage** – According to our records, average car mileage in Guernsey is extremely low by UK standards at c. 4,000 miles per annum. In the EU, the methodology used for introducing revised inspection standards in 2012 was based primarily on vehicle mileage and age. This is detailed in EC Memo 12-555 and moved to tighten inspection requirements for high mileage vehicles from 4yrs + 2yrs thereafter to 4yrs + 1yr thereafter. High mileage in European terms is considered to be in cases where mileage at four years exceeds 100,000 miles. Given that at four years most Guernsey cars will only have covered c. 16,000 miles there is a strong argument for a much more relaxed regime of inspections here. In the UK average mileage recorded in 2015 across both diesel and petrol cars in years 1 – 4 was 38,800 miles, so more than double what it is here in Guernsey. Commercial vehicles can achieve anything between 10,000 and 50,000+ miles per annum.

During a recent visit to Ireland it was explained that one of the factors affecting test pass rates is the age of cars being tested or, more specifically, the mileage covered. A report from the Road Safety Agency in Ireland states that 4 year old cars have a pass rate approaching 80% while cars 10 years old have, on average, a pass rate of only 39%. A brief comparison of mileage over the first four inspections in certain EU Member States together with average Guernsey mileages in a range of scenarios is detailed below.

Table 1 – Estimated Vehicle mileage at point of inspection (vehicle age in brackets).

Country	Total mileage at 1 <sup>st</sup> inspection	Total mileage at second inspection	Total mileage at third inspection	Total mileage at fourth inspection	Inspection regime (yrs)
England	30,000 (3)	38,800 (4)	47,400 (5)	55,800 (6)	3 + 1 + 1
Northern Ireland	44,000 (4)	55,000 (5)	66,000 (6)	77,000 (7)	4 + 1 + 1
France	34,000 (4)	51,000 (6)	68,000 (8)	85,000 (10)	4 + 2 + 2
Ireland	48,000 (4)	69,000 (6)	93,000 (8)	115,000 (10)	4 + 2 + 2 (+1 thereafter)
<b>Guernsey</b>					
<i>Option 1</i>	16,000 (4)	20,000 (5)	24,000 (6)	28,000 (7)	<b>4 + 1 + 1</b>
<i>Option 2</i>	16,000 (4)	24,000 (6)	32,000 (8)	40,000 (10)	<b>4 + 2 + 2</b>
<i>Option 3</i>	16,000 (4)	28,000 (7)	40,000 (10)	52,000 (13)	<b>4 + 3 + 3</b>
<i>Option 4</i>	20,000 (5)	28,000 (7)	36,000 (9)	44,000 (11)	<b>5 + 2 + 2</b>
<i>Option 5</i>	20,000 (5)	32,000 (8)	40,000 (10)	48,000 (12)	<b>5 + 3 + 2</b>
<i>Option 6</i>	20,000 (5)	32,000 (8)	44,000 (11)	56,000 (14)	<b>5 + 3 + 3</b>

Sources: National Travel Survey 2015, Department for Transport (England), Driver & Vehicle Agency (Northern Ireland), Applus Car Testing Services (Ireland)



**Vehicle Age and Condition** - Modern cars now come with a range of safety features as standard, including anti-lock braking systems (ABS), Electronic Stability Control (ESC) as well as improved impact protection systems and driver air bags. Extended warranties and service packages of between three and five years are now commonplace and highlight a much higher level of confidence in the longevity of vehicle systems and controls. For motor cycles this is more usually two years.

Corrosion, a major cause of vehicle deterioration in the past, is now less prevalent than it once was with many vehicles now being sold with 10 or 12 year anti-corrosion warranties. However, there is a need to recognise that Guernsey has a maritime influence and vehicles may be more susceptible to corrosion, particularly those that are regularly exposed to salt water. Data from Ireland shows that cars in coastal and rural locations had lower pass rates than in urban areas, although higher mileage was also judged to have been a factor.

In Northern Ireland, 98% of cars and light vans pass the test first time after 4 years. This may be due to the standard of modern cars or the fact that people in Northern Ireland take the testing process seriously. Typical failures on first inspection relate to tyre depths, brakes or bulbs. The overall pass rate in Northern Ireland is 82% which is similar to the EU average.

In terms of general wear and tear items that can attribute to road safety risks, the following 'consumable' parts are expected to have a limited lifespan, namely:

- Brake pads on modern vehicles should last for anything up to 20,000 -25,000 miles;
- Brake discs should last for anything up to 40,000 - 50,000 miles;
- Tyres tend to only be good for around 15,000 – 20,000 miles and sometimes are prone to sidewall damage on Guernsey's narrow roads at an earlier date.

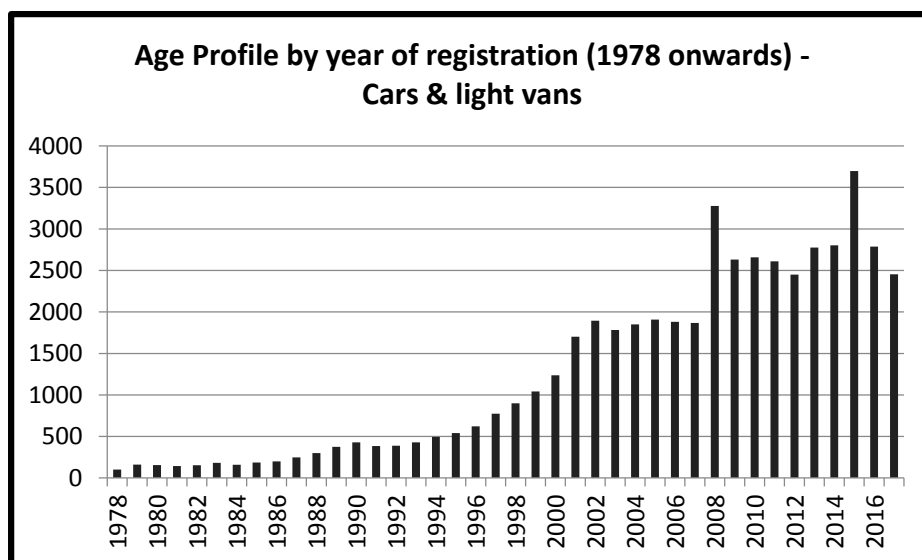
Approximately 28% of cars and light vans (some 14,500 vehicles) registered in Guernsey are under five years old so would not be subject to immediate inspection if a five year test programme was introduced.

Table 2 – Vehicles registered in Guernsey by category and age profile (based on 2017 data)

Age Profile	Cars	%	m/c (over 125cc)	%	Commercial	%
1 - 5yrs	14,516	28.0	770	22.1	123	12
6 – 10yrs	13,624	26.2	744	21.3	287	28
11-15yrs	9,289	17.9	643	18.4	234	22.8
16-39yrs	13,093	25.2	1,173	33.6	336	32.8
>40yrs	1,416	2.7	162	4.6	45	4.4
Total	51,938	100	3,492	100.0	1,025	100

*Source: Based on 2017 data held on the Driver and Vehicle Licensing Database and adjusted to take account of the likely number of motor vehicles that are no longer in circulation.*

Graph 1 – Age Profile of cars and light vans registered in Guernsey



Source: Driver and Vehicle Licensing Database

**Vehicle speeds and speed limits** - Our relatively narrow roads result in a number of minor scrapes and knocks but having a maximum speed limit of just 35mph, together with reduced speed limits in built up areas or near schools, is a major factor in why serious injuries and fatalities are kept to a minimum.

Guernsey has approximately 230 miles of public roads. Of the 1,030 roads, 331 currently have a maximum speed limit of 25mph, 14 are subject to a 20mph limit and 7 roads have lower limits. 219 of the 678 roads with a maximum speed limit of 35mph are designated as 'Ruettes Tranquilles' and have a recommended speed limit of 15mph.

Average vehicle speeds in Guernsey are c. 16 – 18mph including idling and c. 20 - 25mph without. In the UK the maximum speed limit is 70 mph and 60 mph is permitted on A and B roads so average speeds are likely to be much higher. The following data shows 85<sup>th</sup> percentile and mean average speeds on a selection of larger roads in Guernsey as identified during recent traffic speed surveys using covert speed detection equipment.

Table 3 – Average speeds on larger Guernsey roads

Road	Speed Limit (mph)	85 <sup>th</sup> Percentile Speeds (mph)	Mean Average Speeds (mph)
Forest Road	35	36	32
Rue de la Masse	35	36	29
Braye Road	35	34	28
Bulwer Avenue	35	33	29
Les Bassieres	25	33	28
Grande Rue	25	28	22
Summerfield Road	25	26	22

Source: Speed surveys undertaken by Traffic and Highway Services in September/October, 2017

**Accident Data** - In 2017 there were two fatalities, nineteen serious injuries and 85 slight injuries on Guernsey's roads. Five of the serious injuries involved motor cyclists, four were cyclists and one was a pedestrian. The age profile was fairly evenly split but 85% of those injured were male. Alcohol and / or speed were cited as being a relevant factor in at least 4 of the aforementioned incidents. There was one serious injury in Alderney during the same period.

It is understood that worn or faulty vehicle parts have not been deemed to be the cause of any serious accidents in Guernsey resulting in death or serious injury for many years, although it can often be cited as a contributory factor in other road traffic accidents. In the UK, only a relatively small percentage of accidents are caused by vehicle defects, approximately 2%, and these usually relate to poor brakes or tyres, whereas a significantly high percentage of accidents involve driver error.

In 2016 there were no fatalities in Guernsey, nine serious injuries and 133 slight injuries with three of the seriously injured being motorcyclists, two pedestrians and one a cyclist.

Tables 4 & 5 - Analysis of accident data between Guernsey, Jersey and the UK for 2015/16.

Recorded Accident Data for 2015						
Jurisdiction	Deaths	Per 1,000	Serious injury	Per 1,000	Slight injury	Per 1,000
UK	1,732	0.026	22,137	0.337	162,340	2.475
Jersey	0	0.000	66	0.633	257	2.466
Guernsey	1	0.016	10	0.160	88	1.408

Recorded Accident Data for 2016						
Jurisdiction	Deaths	Per 1,000	Serious injury	Per 1,000	Slight injury	Per 1,000
UK	1,792	0.027	24,101	0.367	155,491	2.370
Jersey	2	0.019	69	0.662	244	2.342
Guernsey	0	0.000	9	0.144	133	2.128

*Sources: Reported road casualties in GB – Annual report, DfT, Guernsey and Jersey Police Annual Reports. Populations: c. 65.6m (UK), c. 104,000 (Jersey) & c. 62,500 (Guernsey)*

Given the relative size of the UK, the number of fatalities (3,512), serious injuries (51,111) and slight injuries (302,981) is roughly 1½ to twice the equivalent figure for Guernsey's population. This is likely to be influenced to a certain degree by the much higher speed limits in force in the UK as compared to here in Guernsey.

Tables 6 & 7 – Age and mileage of vehicles under various testing scenarios

Country	Age at first inspection	Age at subsequent inspections
UK	3yrs	4yrs, 5yrs, 6 yrs, 7yrs
Ireland	4yrs	6yrs, 8yrs, 10yrs, 11yrs
France	4yrs	6yrs, 8yrs, 10yrs, 12yrs
Hungary	4yrs	7yrs, 9yrs, 11yrs, 13yrs
Andorra	5yrs	7yrs, 9yrs, 11yrs, 13yrs
Monaco	4yrs	7yrs, 10yrs, 13yrs, 16yrs
<b>Guernsey (proposed)</b>	<b>5yrs</b>	<b>8yrs, 11yrs, 14yrs, 17yrs</b>

Country	Mileage at first inspection	Mileage at second inspection	Mileage at third inspection	Mileage at fourth inspection
<b>Guernsey (proposed)</b>	<b>20,000 (5)</b>	<b>32,000 (8)</b>	<b>44,000 (11)</b>	56,000 (14)
England	30,000 (3)	38,800 (4)	47,400 (5)	<b>55,800 (6)</b>
Northern Ireland	44,000 (4)	55,000 (5)	66,000 (6)	77,000 (7)
France	34,000 (4)	51,000 (6)	68,000 (8)	85,000 (10)
Ireland	48,000 (4)	69,000 (6)	93,000 (8)	115,000 (10)
<b>Lowest accumulated mileage</b>				

Whilst Table 6 shows Guernsey vehicles being the oldest at the point of proposed examination as compared to other jurisdictions, when compared on the basis of vehicle mileage Guernsey vehicle mileage as shown in Table 7 is lower than everywhere else, except the UK at the fourth inspection.

The proposal to inspect cars and light vans on the basis of 5yrs + 3yrs + 3yrs is therefore considered to be fully compliant with the requirements of the Vienna Convention and is not dissimilar to current EU approved testing regimes operating in Hungary, Andorra and Monaco where mileages are much higher than in Guernsey.

**Recommendation:** In light of the above analysis, it is proposed that an inspection regime of 5yrs old + every 3yrs thereafter is introduced for cars and light vans in Guernsey. This would give a test cycle of 5yrs, 8yrs, 11yrs and 14yrs etc. Given our annual mileage rates compared to Europe this proposal would ensure that vehicles are inspected at similar mileage levels.

In terms of commercial vehicles, Guernsey's scheduled bus fleet undertakes in the order of 40,000 to 50,000 miles per annum and licensed public taxis are required to undertake a minimum of 25,000 miles per annum. Delivery vehicles are also likely to undertake similar mileages.

Motorcycles generally cover fewer miles annually than cars but also tend to have shorter warranty periods.

**Recommendation:** Commercial vehicles and licensed public service vehicles should be inspected on an annual basis and motorcycles over 125cc at 3yrs old + every 2yrs thereafter. Consideration has yet to be given as to when to extend the checks to mopeds or motorcycles under 125cc.

On the basis of the above recommendations, testing frequencies would be conducted as follows.

Table 8 – Proposed inspection frequency for Periodic Technical Inspections

Category	Description	Regime
Licensed Public Service Vehicles	Buses, Coaches, Taxi, Private Hire Cars and Omnibuses	Annual Inspection
Commercial	Any vehicle over 3.5T	Annual Inspection
Minibuses	Non-PSV vehicles with more than 8 seats in addition to the driver's seat	Annual Inspection
Cars & Light Vans	Any vehicle under 3.5T	5yrs + 3yrs thereafter
Motorcycles	Motorcycles over 125cc	3yrs + 2yrs thereafter
All vehicles in <b>International Traffic</b>	All vehicles leaving for St. Malo or another EU port.	Inspection prior to departure (if before testing commences)
All vehicles in <b>Domestic Traffic</b>	All vehicles circulating on Island roads	Roadside checks

## The number of tests required, exemptions and impact on resources

Depending on the inspection frequency selected, the required number of test lanes or independent sites could vary enormously. This could have a significant impact on the suitability of any available site(s) and the ability to recruit staff given the current shortage of qualified mechanics in Guernsey. This is an important factor in recommending 5+3+3 recurring testing frequency for cars and light vans in Guernsey.

Table 9 – Test lanes /mechanics required for cars and light vans

Testing Regime Scenario	Annual car & light vans tests	Annual retests (based on 25% failure rate)	Total tests	Test Lanes required*	Mechanics required** (plus other categories)
3+1+1 (UK)	41,600	10,400	52,000	6 or 7	14 (+2)
4+2+2 (EU)	19,700	4,900	24,600	3	6 or 7 (+2)
5+2+2	19,000	4,750	23,750	3	6 (+2)
5+3+2	16,800	4,200	21,000	3	5-6 (+2)
<b>5+3+3</b>	<b>12,400</b>	<b>3,100</b>	<b>15,500</b>	<b>2</b>	<b>4 (+2)</b>

*\*Car test lanes capacity based on conducting 8,000 tests per annum based on 8hr working days, 5 days per week, 50 weeks of the year with two mechanics conducting two tests each per hr. This could be increased with Sunday working or a third mechanic in a two ramp test lane.*

*\*\*Each mechanic could undertake approximately 3,840 examinations per year based on 48 weeks.*

If the decision was taken to test all motor cars and light vans over 10 years of age annually in Guernsey, as currently required in the UK, this would add approximately 12,000 more tests per year in each of the above scenarios and require an additional two test lanes to be included at any test centre or a proportionate amount of independent test sites. In addition to the above, a further test lane would be required to undertake circa 1,250 commercial tests per annum. Motorcycle testing can be undertaken in a separate area. The addition of these two vehicle types would require an additional two mechanics on the team.

A typical test lane for cars in a commercial test centre is required to be in the order of 50m long and 5m wide. For larger commercial vehicle the test lane is in the order of 50m long by 7.5m wide. Depending on the testing regime adopted, the site including driver waiting facilities, staff rest facilities, stores and administration could occupy an area of between 1,500 sq. m and 2,500 sq. m which would represent a significant investment but could be charged through a long-term contractual arrangement with a potential commercial operator. Finding a suitable site in Guernsey for such a facility could be extremely difficult, unless an existing commercial property was available for conversion.

Not all vehicles would be subject to testing. Consideration will also need to be given as to which vehicle types might be exempt from the need for inspection. It is expected that the list of exemptions could include motor cars and light vans under 5 years old, motor cars and motorcycles over 40 years of age, motor cycles under 3 years old, emergency service vehicles, agricultural tractors, invalid carriages, street cleaning vehicles and vehicles temporarily in Guernsey and displaying non-Guernsey registration marks.

## Things to be addressed as part of establishing a Technical Inspection regime:

Irrespective of the testing method selected there are a considerable number of factors to be taken into account before any form of testing scheme can be set up and legislation will need to be framed around these requirements. This includes:

1. Standard of testing to be applied:
  - Minimum standard to meet Vienna Convention requirements;
  - Add Emissions testing;
  - Using EU or UK standards
2. Frequency of testing:
  - Vienna Convention merely requires that inspections are 'periodic';
  - EU minimum requirement for cars is 4yrs x 2yrs thereafter and annually for commercials, including taxis;
  - EU considers subsequent inspections of 'high mileage' cars should be annual;
  - Certain EU Member States inspect outside of the EU standards;
  - UK tests to a regime of 3yrs x 1 yr thereafter for cars;
3. Enforcement and links to Police roadside inspections;
4. Options Appraisal - Testing method:
  - Public sector or private sector?
  - Single purpose built test centre or independent approved multiple sites?
  - Short-term 'interim' option, including potential use of mobile test stations?
5. Testing and administration facilities, design, construction etc.
6. Test equipment requirements and associated procurement contracts.
7. Establishing Service Contracts and ongoing management of test equipment, booking service, customer care and complaints service, links to DVL system, building and equipment maintenance, calibration, ISO quality systems, cleaning etc.
8. Booking service provider (online, telephone, hard copy applications);
9. Test process, times and fees:
  - Test duration /Fees;
  - Tests per day / hour;
  - Opening hours / days of the week;
10. Vehicle volumes, exemptions, prioritisation, demands and projected increases;
11. Staffing:
  - Recruitment;
  - Qualifications / Training;
  - Management structure;
  - Reporting, work rotas etc;
12. HR policies (working practices, staff rotas – manage peaks and troughs);  
 Quality Assurance (internal audit, test and examiner monitoring, test failure rates, re-inspections, customer surveys, vehicle standards etc.);
13. IT, data transfer, data retention, records and reporting tools;
14. Complaints management and published policies (appeals process?);
15. Design and supply of application forms, test certificates;
16. Technical guidance documents (inspection manuals etc.) for staff and public (testing methodology/procedures, testing standards etc.);

17. Staff, customer and administrative guidance (Application processes etc.);
18. Health & Safety regime and management structure;
19. Policy & Standards Branch/support;
20. European Roadworthiness Directive 2014/45/EU model re. Test certificates, test items, test frequency, test equipment and staff training etc.
21. Publicity;
22. Compliance and roadside enforcement (Police responsibilities).

Initial options appraisal / provisional costs and test fees / timeframes for implementation:

Initial options appraisal

There are three principal options for Testing:

- Option A: Public Sector owned and operated - *Northern Ireland model*;
- Option B: Private Sector Single Operator – *Republic of Ireland model*; or
- Option C: Private Sector: Multiple Operators – *England, Scotland & Wales model*.

Table 10 - A brief analysis of the potential benefits and dis-benefits of each model

Benefit of selected Option (Scores: 3 = Yes, 2 = Maybe, 1= No)	Option A – Public Sector owned and operated	Option B – Private Sector Single Operator	Option C – Private Sector Multiple Operators
Experience of establishing / operating test systems	1	3	2
Outsourcing of risk	1	3	3
Assured independence & impartiality	2	3	1
Employee management outsourced	1	3	3
Consistency of testing standards	3	3	2
Single point of contact	3	3	1
Simplified booking and notification process	3	3	2
Back up support	1	3	2
Avoids need for lengthy operator tender process	3	1	1
Readily available premises for testing	1	1	2
<b>Total Score</b>	<b>19</b>	<b>26</b>	<b>19</b>



**Option A** would be a significant challenge as the States of Guernsey doesn't currently have any experience of operating test centres and would need to buy-in significant external expertise to even get things off the ground. It would likely require a dedicated site of considerable size, between 1,500 – 2,500 sq. m if all categories of testing were to be conducted on a single site, including the construction of a suitable testing facility within. Being responsible for recruiting and managing a team of up to 6 mechanics plus administration staff would also represent a pretty significant ask, particularly in a market where qualified mechanics are in short supply. This particular model is operated in Northern Ireland across all vehicle classes and in Jersey for commercial vehicles and imported vehicles only. The Northern Ireland model is effectively self-funding and also contributes an annual sum to Government revenues.

Under **Option B** the site, buildings and equipment could either be privately owned or Government owned and leased to a commercial operator but the site requirements would be the same as for Option A. In Ireland the test centres are leased to the commercial operator by private landlords for the duration of a long-term contract with the Irish Government for the provision of the test service known as the National Car Testing Service. The Irish Road Safety Authority are co-joined in the leases for the purposes of transferring from one contractor to another in the event that the commercial operator ceases to trade. All test equipment is owned by the commercial operator.

The potential benefits of Option B became clear during our recent visit to Dublin. A single experienced operator could remove a significant burden from Government in terms of setting up and managing a testing service here in Guernsey and help speed up the implementation process, albeit there would be a need to engage in a fairly thorough tendering process to select a suitable contractor in addition to any building programme.

An alternative approach might be to contract separate operators, one for cars and light vans (and possibly motorcycles) and the other for commercial vehicles but this would of course mean two sites and two contracts. Added to this is the complication of looking to introduce testing for all vehicles in 'international traffic' before commencing regular inspections under a domestic regime. It is possible that Guernsey and Jersey could co-tender for this solution with the chance of securing a more advantageous contract with any successful tenderer, albeit the current Guernsey proposals are not currently as advanced as Jersey's in terms of proposed implementation dates and existing vehicle testing facilities.

**Option C** would provide the possibility of a number of smaller test sites being set up, most likely at existing garages on the Island. These would be unlikely to follow the same fluid set up as a bespoke test centre (with a 50m test lane) and would require multiple contracts and inspection arrangements. Preliminary discussions with the Guernsey Motor Traders Association have certainly not dismissed this as a potential option.

It is of course entirely possible that some form of combined solution could be found that provides a better overall solution for Guernsey.

### Provisional costs and test fees

Whilst consideration has yet to be given to the operating model of choice, using Option A or B as an example, starting from scratch a potential site for car and motorcycle tests using two car test lanes plus provision for a motorcycle test area could cost several million pounds to build and equip, excluding any associated land costs. Annual operating costs, including engineering and administration costs and allowing for a capital payback period will all need to be factored in to the calculations. This would then influence the test fees to be applied.

Adding in a dedicated lane for commercial vehicles would probably cost in the region of £750,000 plus associated operating costs. Given the relatively modest throughput in terms of commercial vehicles of circa 1,250 vehicles per annum, this model would likely be cost prohibitive in terms of required charging rates and so alternative options might offer a better alternative.

Option C, or consideration of a less rigid testing programme that still meets Vienna Convention requirements, might help to reduce overall set up and operating costs but this has yet to be explored in any detail.

Table 11 – Fees applied in Northern Ireland, Ireland and England

Country	Test Fee – Cars & Light Vans £/€	Re-test Fee £/€
Northern Ireland*	£30.50	£18.50
England	£54.85	£27.50
Ireland**	€55.00	€28.00

\*Operates at a surplus of circa £5.0m per annum from 1.0m tests conducted.

\*\*Contributed €22.0m to Irish Government in 2017 from 1.5m tests conducted.

In England the fee for a motorcycle is £29.65 and for a heavy goods vehicle it is £112 (2-axle) or £144 (3-axle).

### Timeframes for implementation

A thorough evaluation of the various test options together with industry consultation could take up to six months to complete. Subsequent business case, site investigations / acquisition of land, tendering exercises, the potential requirement to build bespoke testing facilities and integration with driver and vehicle licensing systems could add a further two years or more to the development process meaning that a permanent testing solution could take more than three years to provide. External technical advice and a full-time project manager type role over an extended period would also very likely be required in order to take this project forward.

**Recommendation:** On the above basis and given that further investigations in this regard won't start before January, 2019 at the earliest, it is suggested that a backstop for the introduction of testing facilities across all categories of motor vehicles in any proposal to the DfT should be 2023 with all vehicles having been through the test process by 2025.

### The phasing and prioritisation to be given to the introduction of testing

As previously outlined and discussed during a recent meeting held in London with the Department for Transport, the introduction of a motor vehicle inspection regime in Guernsey needs to be proportionate and reasonable in nature given the logistical issues of introducing such measures, the current absence of any formal testing regime (with the exception of licensed public service vehicles), the restricted annual mileages, low driven speeds and the relatively limited number of motor vehicles driving in international traffic.

Our priority is to update our vehicle registration standards and introduce the requirement for periodic roadworthiness inspections in domestic legislation in accordance with the technical standards detailed in the Vienna Convention **by 25<sup>th</sup> February, 2019** if ratification is to be achieved by 29<sup>th</sup> March, 2019.

The following timescales will be stipulated in law for the phased introduction of inspections if subsequent proposals are approved by the States:

1. Licensed Public Service motor vehicles used for the carriage of persons and having more than eight seats in addition to the driver's seat – **By 29<sup>th</sup> March, 2019;**
2. All motor vehicles entering international traffic through non-UK ports – **By 31<sup>st</sup> March, 2021;**
3. Second hand motor vehicles imported into Guernsey, exemptions may apply – **By 31<sup>st</sup> March, 2021;**
4. Motor vehicles in domestic traffic used for the carriage of goods whose permissible maximum mass exceeds 3,500kgs and trailers designed to be coupled to such vehicles – **By 31<sup>st</sup> March, 2023;**
5. All non-PSV motor vehicles in domestic traffic used for the carriage of persons and having more than eight passenger seats in addition to the driver's seat – **By 31<sup>st</sup> March, 2023;**

6. Cars and light vans in domestic traffic on the basis of a phased introduction commencing with the oldest vehicles first leading up to the newest vehicles on the basis of a 5yr + 3yr recurring period of inspections – **By 31<sup>st</sup> March, 2023**; and
7. Certain motorcycles in domestic traffic on the basis of a phased introduction commencing with the oldest first leading up to the newest motorcycles on the basis of a 3yr + 2yr recurring period of inspections – **By 31<sup>st</sup> March, 2023**
8. Full regime in place and all vehicles tested - **By 2025**

In addition, the Police will continue to prioritise the inspection of motor vehicles and trailers through regular roadside inspections on an ongoing basis.

## Alderney

In light of further discussions with Alderney it is proposed that the Vienna Convention will not be applied to Alderney at this time. The position in relation to Alderney will therefore be as follows:

- The 1949 Geneva Convention on Road Traffic will remain in place (France is also a 1949 signatory);
- Alderney motor vehicles will continue to be registered under Guernsey legislation but will not be subject to periodic technical inspections;
- Alderney motor vehicles will continue to have “AY” prefixed registration marks;
- Alderney has its own distinguishing mark (GBA);
- Guernsey issued driving licences will continue to be allocated to Alderney residents who have to abide by Guernsey testing standards and licensing requirements adopted in Guernsey law;
- Alderney residents who wish to drive abroad can therefore be issued with a Guernsey International Driving Permit (Geneva or Vienna) as it is linked to their Guernsey-issued driving licence.

On the basis that the Vienna Convention is extended to Guernsey but not to Alderney, Alderney vehicles may well be subject to additional scrutiny on European roads.

## Sark

The current position is that:

- The 1949 Geneva Convention on Road Traffic is extended to Sark.
- Sark does not have a formal road network and instead its 'public roads' are, essentially, dirt tracks.
- Sark can only issue domestic licences, e.g. for tractors or horse-drawn vehicles, but these are not recognised internationally or elsewhere in the Bailiwick.
- Sark heavily restricts the type of vehicles that can be on the island and/or operate domestically. Vehicles are typically invalid carriages, tractors, construction vehicles or combine harvesters and visitors also make use of horse-drawn carriages and bicycles (currently no electronic bicycles are permitted, but this is currently being reviewed). Even Sark's ambulance and fire engine are towed by a tractor.
- There are import and export bans on vehicles except for tractors, construction vehicles, etc
- Moving vehicles on and off the island is very difficult, the harbour is small and rudimentary, with small freight and ferry services. It would be impossible to develop a Ro-Ro capacity in the harbour's current infrastructure.
- Any Sark residents that own cars register and keep them in Guernsey in accordance with Guernsey law.
- For driving in Guernsey or internationally, Sark residents must obtain a Guernsey-issued driving licence. This means that Sark residents have to abide by Guernsey testing standards and licensing requirements adopted in Guernsey law;
- Sark residents who wish to drive abroad can be issued with Vienna or Geneva IDPs by Guernsey.

On this basis it is not proposed to extend the Vienna Convention to Sark.

Assuming the Vienna Convention is extended to Guernsey, notwithstanding whether Sark obtains extension of the Vienna Convention, Guernsey will issue 1949 and 1968 IDPs (as appropriate for the country of travel) under Guernsey law to Sark residents.

## Conclusions

From the above data and observations the following conclusions have been drawn:

- Current testing in Guernsey is limited to the annual inspection of licensed public service vehicles and it is recognised that this is inadequate to meet the requirements of Article 39 of the Vienna Convention;
- It is acknowledged that the introduction of testing for vehicles in international traffic is a high priority together with some form of administrative compliance checks at the Port of departure;

- Annual testing of goods vehicles and other motor vehicles used for the carriage of passengers and having more than eight seats in addition to the driver's seat is also a priority.

With regard to cars, light vans and motorcycles, it is accepted that periodic inspections should also be introduced for the purposes of compliance with the Vienna Convention but this will need to be done on a phased and pragmatic basis over a period of years given that:

- The introduction of testing facilities in Guernsey for c. 52,000 cars and c. 5,000 motorcycles will present significant logistical difficulties for Guernsey; including availability of land, significant investment in testing equipment and a chronic shortage of qualified mechanics;
- Public and political opinion will demand that a proportionate and reasonable approach is taken to the introduction of additional checks and controls on the use of private motor vehicles;
- Annual car mileage in Guernsey is less than half that of the UK, (c.4,000 miles compared to 10,000 miles in England) and hence wear and tear on Guernsey cars should be considerably less when compared over the same time period;
- Standard vehicle safety equipment now includes ABS and ESC and manufacturers widely offer 5 year warranties meaning that cars should generally be in a safer condition and better able to cope in poor weather or stop under emergency braking;
- The maximum speed limit in Guernsey is 35mph with many roads having lower speed limits, whereas UK national speed limit is 60mph (70mph on motorways). Average speeds on most Guernsey roads is below 30mph;
- Accident data for Guernsey is lower pro rata than the UK;
- There is no compelling evidence to show that age or mechanical faults are a major contributor to vehicle accidents. Driver error is the most common factor.

On this basis a testing regime of 5yrs old plus every 3yrs thereafter for cars and light vans, annually for heavy goods vehicles and larger passenger carrying vehicles and 3yrs old and every 2yrs thereafter for certain motorcycles is considered appropriate for inspections in Guernsey. The Islands of Alderney and Sark have decided not to ratify the Vienna Convention at this time.

Given the need to prioritise other inspections and the logistical issues involved it is proposed to commence mandatory testing of domestic cars and light vans in 2013, commencing with oldest vehicles first. The target for ensuring the testing of all vehicles is 2015.

As an absolute priority, measures will be taken to get new vehicle standards, testing standards, testing requirements and periods of inspection into statutory law by 25<sup>th</sup> February, 2019 to show Guernsey's clear commitment to this initiative. Steps will then be taken to establish the necessary service provisions, including taking a decision on the most appropriate mechanism of testing.

By enshrining periodic technical inspection of vehicles in domestic legislation prior to Brexit and committing to a programme of introducing such inspections within a realistic and achievable timeframe, it is considered that Guernsey can sufficiently demonstrate its commitment to this process to allow ratification of the Vienna Convention to proceed.

## Appendix B

### CONVENTION RATIFICATION STATUS FOR EU AND EEA MEMBER STATES<sup>1</sup>

EU/EEA Member State	1926 (Paris)	1949 (Geneva)	1968 (Vienna)
Austria	Yes	Yes	Yes
Belgium	Yes	Yes	Yes
Bulgaria	Yes	Yes	Yes
Croatia	No	No	Yes
Cyprus	?	Yes	No
Czech Republic	?	Yes	Yes
Denmark	Yes	Yes	Yes
Estonia	?	No	Yes
Finland	Yes	Yes	Yes
France	Yes	Yes	Yes
Germany	?	No	Yes
Greece	Yes	Yes	Yes
Hungary	Yes	Yes	Yes
Iceland	?	Yes	No
Ireland	Yes	Yes	No
Italy	Yes	Yes	Yes
Latvia	?	No	Yes
Liechtenstein	?	No	No
Lithuania	?	No	Yes
Luxembourg	Yes	Yes	Yes
Malta	Yes	Yes	No
Netherlands	Yes	Yes	Yes
Norway	?	Yes	Yes
Poland	Yes	Yes	Yes
Portugal	Yes	Yes	Yes
Romania	Yes	Yes	Yes
Slovakia	?	Yes	Yes
Slovenia	No	Yes	Yes
Spain	Yes	Yes	No
Sweden	Yes	Yes	Yes
Switzerland	No	No	Yes
United Kingdom	Yes	Yes	Yes
<b>Other</b>			
Turkey	?	Yes	No
Guernsey & Jersey	Yes	Yes	Proposed

<sup>1</sup>Ratification of later Conventions supersede earlier Conventions where parties have both ratified



## **CONVENTION ON ROAD TRAFFIC**

DONE AT VIENNA ON 8 NOVEMBER 1968

*(Consolidated version\*)*

\* Including the following amendments to the Convention: Amendments which entered into force on 3 September 1993 (marked in the margin with a single line and underlined in the text). Amendments which entered into force on 28 March 2006 (marked in the margin with a double line). Amendments which entered into force on 23 March 2016 (marked in the margin with a triple line) and the Amendment which entered into force on 19 September 2016 (marked in the margin with a dashed line).

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# CONVENTION ON ROAD TRAFFIC

## The Contracting Parties,

Desiring to facilitate international road traffic and to increase road safety through the adoption of uniform traffic rules,

Have agreed upon the following provisions:

## **Chapter I**

### GENERAL PROVISIONS

#### ARTICLE 1

##### Definitions

For the purpose of this Convention the following expressions shall have the meanings hereby assigned to them:

(a) The “domestic legislation” of a Contracting Party means the entire body of national or local laws and regulations in force in the territory of that Contracting Party;

(b) A vehicle is said to be “in international traffic” in the territory of a State if:

- (i) It is owned by a natural or legal person normally resident outside that State;
- (ii) It is not registered in that State; and
- (iii) It is temporarily imported into that State;

provided, however, that a Contracting Party may refuse to regard as being “in international traffic” a vehicle which has remained in its territory for more than one year without a substantial interruption, the duration of which may be fixed by that Contracting Party.

A combination of vehicles is said to be “in international traffic” if at least one of the vehicles in the combination conforms to the above definition;

(c) “Built-up area” means an area with entries and exits specially signposted as such, or otherwise defined in domestic legislation;

(d) “Road” means the entire surface of any way or street open to public traffic;

(e) “Carriageway” means the part of a road normally used by vehicular traffic; a road may comprise several carriageways clearly separated from one another by, for example, a dividing strip or a difference of level;

(f) On carriageways where one or more side lanes or tracks are reserved for use by certain vehicles, “edge of the carriageway” means, for other road-users, the edge of the remainder of the carriageway;

(g) “Lane” means any one of the longitudinal strips into which the carriageway is divisible, whether or not defined by longitudinal road markings, which is wide enough for one moving line of motor vehicles other than motorcycles;

(g) bis “Cycle lane” means a part of a carriageway designated for cycles. A cycle lane is distinguished from the rest of the carriageway by longitudinal road markings;

(g) ter “Cycle track” means an independent road or part of a road designated for cycles, signposted as such. A cycle track is separated from other roads or other parts of the same road by structural means;

(h) “Intersection” means any level crossroad, junction or fork, including the open areas formed by such crossroads, junctions or forks;

(i) “Level-crossing” means any level intersection between a road and a railway or tramway track with its own track formation;

(j) “Motorway” means a road specially designed and built for motor traffic, which does not serve properties bordering on it, and which:

- (i) Is provided, except at special points or temporarily, with separate carriageways for the two directions of traffic, separated from each other either by a dividing strip not intended for traffic or, exceptionally, by other means;
- (ii) Does not cross at level with any road, railway or tramway track, or footpath; and
- (iii) Is specially signposted as a motorway;

(k) A vehicle is said to be:

- (i) “Standing” if it is stationary for the time needed to pick up or set down persons or to load or unload goods; and
- (ii) “Parked” if it is stationary for any reason other than the need to avoid interference with another road-user or collision with an obstruction or to comply with traffic regulations, and if the period during which the vehicle is stationary is not limited to the time needed to pick up or set down persons or goods;

Nevertheless, it shall be open to Contracting Parties to regard as “standing” any vehicle which is stationary within the meaning of subparagraph (ii) above for a period not exceeding that fixed by domestic legislation, and to regard as “parked” any vehicle which is stationary within the meaning of subparagraph (i) above for a period exceeding that fixed by domestic legislation;

(l) “Cycle” means any vehicle which has at least two wheels and is propelled solely by the muscular energy of the persons on that vehicle, in particular by means of pedals or hand-cranks;

(m) “Moped” means any two-wheeled or three-wheeled vehicle which is fitted with an internal combustion engine having a cylinder capacity not exceeding 50 cc and a maximum design speed not exceeding 50 km (30 miles) per hour. Contracting Parties are free, however, not to regard as mopeds, under their domestic legislation, vehicles which do not have the characteristics of a cycle with respect to their use, in particular the characteristic that they can be propelled by pedals, or whose maximum design speed, whose mass, or certain of whose engine characteristics exceed certain limits. Nothing in this definition shall be construed as preventing Contracting Parties from treating mopeds exactly as cycles in applying the provisions of their domestic legislation regarding road traffic;

(n) “Motorcycle” means any two-wheeled vehicle, with or without a side-car, which is equipped with a propelling engine. Contracting Parties may also treat as motorcycles in their domestic legislation three-wheeled vehicles whose unladen mass does not exceed 400 kg. The term “motorcycle” does not include mopeds, although Contracting Parties may, provided they make a declaration to this effect in conformity with Article 54, paragraph 2, of this Convention, treat mopeds as motorcycles for the purposes of the Convention;

(o) “Power-driven vehicle” means any self-propelled road vehicle, other than a moped in the territories of Contracting Parties which do not treat mopeds as motorcycles, and other than a rail-borne vehicle;

(p) “Motor vehicle” means any power-driven vehicle which is normally used for carrying persons or goods by road or for drawing, on the road, vehicles used for the carriage of persons or goods. This term embraces trolley-buses, that is to say, vehicles connected to an electric conductor and not rail-borne. It does not cover vehicles, such as agricultural tractors, which are only incidentally used for carrying persons or goods by road or for drawing, on the road, vehicles used for the carriage of persons or goods;

(q) “Trailer” means any vehicle designed to be drawn by a power-driven vehicle and includes semi-trailers;

(r) “Semi-trailer” means any trailer designed to be coupled to a motor vehicle in such a way that part of it rests on the motor vehicle and that a substantial part of its mass and of the mass of its load is borne by the motor vehicle;

(s) “Light trailer” means any trailer of a permissible maximum mass not exceeding 750 kg;

(t) “Combination of vehicles” means coupled vehicles which travel on the road as a unit;

(u) “Articulated vehicle” means a combination of vehicles comprising a motor vehicle and semi-trailer coupled to the motor vehicle;

(v) “Driver” means any person who drives a motor vehicle or other vehicle (including a cycle), or who guides cattle, singly or in herds, or flocks, or draught, pack or saddle animals on a road;

(w) “Permissible maximum mass” means the maximum mass of the laden vehicle declared permissible by the competent authority of the State in which the vehicle is registered;

(x) “Unladen mass” means the mass of the vehicle without crew, passengers or load, but with a full supply of fuel and with the tools which the vehicle normally carries;

(y) “Laden mass” means the actual mass of the vehicle as loaded, with the crew and passengers on board;

(z) “Direction of traffic” and “appropriate to the direction of traffic” mean the right-hand side if, under domestic legislation, the driver of a vehicle must allow an oncoming vehicle to pass on his left; otherwise these expressions mean the left-hand side;

(aa) The requirement that a driver shall “give way” to other vehicles means that he must not continue or resume his advance or manoeuvre if by so doing he might compel the drivers of other vehicles to change the direction or speed of their vehicle abruptly.

## ARTICLE 2

### Annexes to the Convention

The Annexes to this Convention, namely,

- Annex 1: Exceptions to the obligation to admit motor vehicles and trailers in international traffic;
- Annex 2: Registration number of motor vehicles and trailers in international traffic;
- Annex 3: Distinguishing sign of motor vehicles and trailers in international traffic;
- Annex 4: Identification marks of motor vehicles and trailers in international traffic;
- Annex 5: Technical conditions concerning motor vehicles and trailers;
- Annex 6: Domestic driving permit; and
- Annex 7: International driving permit;

are integral parts of this Convention.

## ARTICLE 3

### Obligations of the Contracting Parties

1. (a) Contracting Parties shall take appropriate measures to ensure that the rules of the road in force in their territories conform in substance to the provisions of Chapter II of this Convention. Provided that the said rules are in no way incompatible with the said provisions:

- (i) The said rules need not reproduce any of the said provisions which are applicable to situations that do not arise in the territories of the Contracting Parties in question;
- (ii) The said rules may include provisions not contained in the said Chapter II.

(b) The provisions of this paragraph do not require Contracting Parties to provide penalties for any violation of those provisions of Chapter II which are reproduced in their rules of the road.

2. (a) Contracting Parties shall also take appropriate measures to ensure that the rules in force in their territories concerning the technical requirements to be satisfied by motor vehicles and trailers conform to the provisions of Annex 5 to this Convention; provided that they are in no way contrary to the safety principles governing the provisions of Annex 5, the said rules may contain provisions not contained in Annex 5. Contracting Parties shall also take appropriate measures to ensure that motor vehicles and trailers registered in their territories conform to the provisions of Annex 5 to this Convention when entering international traffic.

(b) The provisions of this paragraph do not impose any obligations on the Contracting Parties with respect to the rules in force in their territories concerning the technical requirements to be satisfied by power-driven vehicles which are not motor vehicles within the meaning of this Convention.

3. Subject to the exceptions provided for in Annex 1 to this Convention, Contracting Parties shall be bound to admit to their territories in international traffic motor vehicles and trailers which fulfil the conditions laid down in Chapter III of this Convention and whose drivers fulfil the conditions laid down in Chapter IV; they shall also be bound to recognize registration certificates issued in accordance with the provisions of Chapter III as *prima facie* evidence that the vehicles to which they refer fulfil the conditions laid down in the said Chapter III.

4. Measures which the Contracting Parties have taken or may take, either unilaterally or under bilateral or multilateral agreements, to admit to their territories in international traffic motor vehicles and trailers that do not satisfy all the conditions stated in Chapter III of this Convention and to recognize, in cases other than those specified in Chapter IV, the validity in their territories of driving permits issued in the territory of another Contracting Party shall be deemed to be in conformity with the object of this Convention.

5. Contracting Parties shall be bound to admit to their territories in international traffic cycles and mopeds which fulfil the technical conditions laid down in Chapter V of this Convention and whose drivers have their normal residence in the territory of another Contracting Party. No Contracting Party shall require the drivers of cycles or mopeds in international traffic to hold a driving permit; however, Contracting Parties which have declared in conformity with Article 54, paragraph 2, of this Convention that they treat mopeds as motorcycles may require the drivers of mopeds in international traffic to hold a driving permit.

5 bis. Contracting Parties will take the necessary measures to ensure that road safety education be provided on a systematic and continuous basis, particularly in schools at all levels.

5 ter. Whenever driving instruction for learner drivers is provided by professional driving establishments, domestic legislation shall lay down minimum requirements concerning the curriculum and the qualifications of the personnel responsible for providing such instruction.

6 Contracting Parties undertake to communicate to any Contracting Party, which may so request, the information necessary to ascertain the identity of the person in whose name a power-driven vehicle, or a trailer coupled to such a vehicle, is registered in their territories if the request submitted shows that the vehicle has been involved in an accident or the driver of this vehicle has seriously infringed road traffic rules and is thereby liable to important penalties or disqualification from driving in the territory of the Contracting Party submitting the request.

7. Measures which the Contracting Parties have taken or may take either unilaterally or under bilateral or multilateral agreements to facilitate international road traffic by simplifying Customs, police, health and other similar formalities or to ensure that Customs offices and posts at a given frontier point have the same competence and are kept open during the same hours shall be deemed to be in conformity with the object of this Convention.

8. Nothing in paragraphs 3, 5 and 7 of this Article shall affect the right of a Contracting Party to make the admission to its territory in international traffic of motor vehicles, trailers, mopeds and cycles, and of their drivers and occupants, subject to its regulations concerning the commercial carriage of passengers and goods, to its regulations concerning insurance of drivers against third-party risks, to its Customs regulations and, in general, to its regulations on matters other than road traffic.

## ARTICLE 4

### Signs and signals

Contracting Parties to this Convention which are not Contracting Parties to the Convention on Road Signs and Signals opened for signature at Vienna on the same day as this Convention undertake that:

(a) All road signs, traffic light signals and road markings installed in their territory shall form a coherent system and shall be designed and placed in such a way as to be easily recognizable;

(b) The number of types of sign shall be limited and signs shall be placed only at points where they are deemed useful;

(c) Danger warning signs shall be installed at a sufficient distance from obstructions to give drivers adequate warning;

(d) It shall be prohibited:

(i) To affix to a sign, to its support or to any other traffic control device anything not related to the purpose of such sign or device; if, however, Contracting Parties or subdivisions thereof authorize a non-profit making association to install informative signs, they may permit the emblem of that association to appear on the sign or on its support provided this does not make it less easy to understand the sign;

(ii) To install any board, notice, marking or device which might be confused with signs or other traffic control devices, might render them less visible or effective, or might dazzle road-users or distract their attention in a way prejudicial to traffic safety;

(iii) To install on pavements and verges devices or equipment which might unnecessarily obstruct the movement of pedestrians, particularly elderly or disabled persons.

## **Chapter II**

### **RULES OF THE ROAD**

#### **ARTICLE 5**

##### Status of signs and signals

1. Road-users shall comply with the instructions conveyed by road signs, traffic light signals and road markings even if the said instructions appear to contradict other traffic regulations.

2. Instructions conveyed by traffic light signals shall take precedence over those conveyed by road signs regulating priority.

#### **ARTICLE 6**

##### Instructions given by authorized officials

1. When they are directing traffic, authorized officials shall be easily identifiable at a distance, at night as well as by day.

2. Road-users shall promptly obey all instructions given by authorized officials directing traffic.

3. It is recommended: that domestic legislation should provide that directions given by authorized officials directing traffic shall include the following:

(a) Arm raised upright; this gesture shall mean “attention, stop” for all road-users except drivers who are no longer able to stop with sufficient safety; further, if made at an intersection, this gesture shall not require drivers already on the intersection to stop

(b) Arm or arms outstretched horizontally; this gesture shall constitute a stop signal for all road-users approaching from any direction which would cut across that indicated by the outstretched arm or arms; after making this gesture, the authorized official directing traffic may lower his arm or arms; this gesture shall likewise constitute a stop signal for drivers in front of or behind the official;

(c) Swinging red light; this gesture shall constitute a stop signal for road-users towards whom the light is directed.

4. The instructions given by authorized officials directing traffic shall take precedence over those conveyed by road signs, traffic light signals and road markings, and over traffic regulations.

## ARTICLE 7

### General rules

1. Road-users shall avoid any behaviour likely to endanger or obstruct traffic, to endanger persons, or to cause damage to public or private property.

2. It is recommended that domestic legislation should provide that road-users shall not obstruct traffic or risk making it dangerous by throwing, depositing or leaving any object or substance on the road or by creating any other obstruction on the road. If road-users have been unable to avoid creating an obstruction or danger in that way, they shall take the necessary steps to remove it as soon as possible and, if they cannot remove it immediately, to warn other road-users of its presence.

3. Drivers shall show extra care in relation to the most vulnerable road-users, such as pedestrians and cyclists and in particular children, elderly persons and the disabled.

4. Drivers shall take care that their vehicles do not inconvenience road-users or the occupants of properties bordering on the road, for example, by causing noise or raising dust or smoke where they can avoid doing so.

5. The wearing of safety belts is compulsory for drivers and passengers of motor vehicles, occupying seats equipped with such belts, save where exceptions are granted by domestic legislation.

## ARTICLE 8

### Drivers

1. Every moving vehicle or combination of vehicles shall have a driver.

2. It is recommended that domestic legislation should provide that pack, draught or saddle animals, and, except in such special areas as may be marked at the entry, cattle, singly or in herds, or flocks, shall have a driver.



3. Every driver shall possess the necessary physical and mental ability and be in a fit physical and mental condition to drive.

4. Every driver of a power-driven vehicle shall possess the knowledge and skill necessary for driving the vehicle; however, this requirement shall not be a bar to driving practice by learner-drivers in conformity with domestic legislation.

5. Every driver shall at all times be able to control his vehicle or to guide his animals.

5.bis. Vehicle systems which influence the way vehicles are driven shall be deemed to be in conformity with paragraph 5 of this Article and with paragraph 1 of Article 13, when they are in conformity with the conditions of construction, fitting and utilization according to international legal instruments concerning wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles\*

Vehicle systems which influence the way vehicles are driven and are not in conformity with the aforementioned conditions of construction, fitting and utilization, shall be deemed to be in conformity with paragraph 5 of this Article and with paragraph 1 of Article 13, when such systems can be overridden or switched off by the driver.

6. A driver of a vehicle shall at all times minimize any activity other than driving. Domestic legislation should lay down rules on the use of phones by drivers of vehicles. In any case, legislation shall prohibit the use by a driver of a motor vehicle or moped of a hand-held phone while the vehicle is in motion.

## ARTICLE 9

### Flocks and herds

1. It is recommended that domestic legislation should provide that, save where exceptions are granted to facilitate their mass movement, flocks and herds should be divided into sections of moderate length spaced sufficiently far apart for the convenience of traffic.

## ARTICLE 10

### Position on the carriageway

1. The direction of traffic shall be the same on all roads in a State except, where appropriate, on the roads used solely or principally by through traffic between two other States.

2. Animals moving along the carriageway shall be kept as close as possible to the edge of the carriageway appropriate to the direction of traffic.

3. Without prejudice to the provisions to the contrary of Article 7, paragraph 1, Article 11, paragraph 6, and to other provisions of this Convention to the contrary, every driver of a vehicle shall, to the extent permitted by circumstances, keep his vehicle near the edge of the carriageway appropriate to the direction of traffic. However, Contracting Parties or subdivisions thereof may lay down more precise rules concerning the position of goods vehicles on the carriageway.

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\* The UN Regulations annexed to the "Agreement concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions" done at Geneva on 20 March 1958.

The UN Global Technical Regulations developed in the framework of the "Agreement concerning the establishing of global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles" done at Geneva on 25 June 1998.

4. Where a road comprises two or three carriageways, no driver shall take the carriageway situated on the side opposite to that appropriate to the direction of traffic.
5. (a) On two-way carriageways having four or more lanes, no driver shall take the lanes situated entirely on the half of the carriageway opposite to the side appropriate to the direction of traffic.  
(b) On two-way carriageways having three lanes, no driver shall take the lane situated at the edge of the carriageway opposite to that appropriate to the direction of traffic.
6. Without prejudice to the provisions of Article 11 and when an additional lane is indicated by a sign, drivers of vehicles moving slowly shall use that lane.

## ARTICLE 11

### Overtaking and movement of traffic in lines

1. (a) Drivers overtaking shall do so on the side opposite to that appropriate to the direction of traffic.  
(b) However drivers shall overtake on the side appropriate to the direction of traffic if the driver to be overtaken has signalled his intention to turn to the side of the carriageway opposite to that appropriate to the direction of traffic and has moved his vehicle or animals over towards that side in order to turn to that side for the purpose of taking another road, to enter a property bordering on the road, or to stop on that side.  
(c) Domestic legislation may authorize cyclists and moped riders to pass stationary vehicles or vehicles moving at a low speed other than cycles or mopeds on the side which corresponds to the direction of traffic provided that sufficient space is available.
2. Before overtaking, every driver shall, without prejudice to the provisions of Article 7, paragraph 1, or to those of Article 14, of this Convention, make sure:
  - (a) That no driver who is following him has begun to overtake him;
  - (b) That the driver ahead of him in the same lane has not given warning of his intention to overtake another;
  - (c) That he can do it without endangering or interfering with the oncoming traffic making sure in particular that the lane which he will enter is free over a sufficient distance and that the relative speed of the two vehicles allows overtaking within a sufficiently short time; and
  - (d) That, except when using a lane closed to oncoming traffic, he will be able, without inconvenience to the road-user or road-users overtaken, to resume the position prescribed in Article 10, paragraph 3, of this Convention.
3. In pursuance of the provisions of paragraph 2 of this Article, overtaking on two-way carriageways is in particular prohibited when approaching the crest of a hill and, if visibility is inadequate, on bends, unless there are at these points lanes defined by longitudinal road markings and overtaking is carried out without leaving the lanes marked as closed to oncoming traffic.

4. When overtaking, a driver shall give the road-user or road-users overtaken a sufficiently wide berth.

5. (a) On carriageways with at least two lanes reserved for traffic moving in the direction in which he is proceeding, a driver who should be obliged, immediately or shortly after moving back to the position prescribed by Article 10, paragraph 3, of this Convention, to overtake again may, in order to perform that manoeuvre, and provided he makes sure he can do so without undue inconvenience to the drivers of faster vehicles approaching from behind, remain in the lane he has occupied for the first overtaking manoeuvre.

(b) However, Contracting Parties or subdivisions thereof shall be free not to apply the provisions of this paragraph to the drivers of cycles, mopeds, motorcycles and vehicles which are not motor vehicles within the meaning of this Convention, or to the drivers of motor vehicles whose permissible maximum mass exceeds 3,500 kg or whose maximum speed, by design, cannot exceed 40 km (25 miles) per hour.

6. Where the provisions of subparagraph 5 (a) of this Article are applicable and the density of traffic is such that vehicles not only occupy the entire width of the carriageway reserved for traffic taking the direction in which they are moving but also are moving only at a speed which is governed by that of the vehicle preceding them in the line:

(a) Without prejudice to the provisions of paragraph 9 of this Article, the movement of the vehicles in one line at a higher speed than that of those in another shall not be deemed to constitute overtaking within the meaning of this Article;

(b) A driver not in the lane nearest to the edge of the carriageway appropriate to the direction of traffic may change lanes only in order to prepare to turn right or left or to park; however, this requirement shall not apply to changes of lane effected by drivers in accordance with domestic legislation resulting from the application of the provisions of paragraph 5 (b) of this Article.

7. When moving in lines as described in paragraphs 5 and 6 of this Article, drivers are forbidden, if the lanes are indicated on the carriageway by longitudinal markings, to straddle these markings.

8. Without prejudice to the provisions of paragraph 2 of this Article and to other restrictions which Contracting Parties or subdivisions thereof may lay down concerning overtaking at intersections and at level-crossings, no driver of a vehicle shall overtake a vehicle other than a two-wheeled cycle, a two-wheeled moped or a two-wheeled motorcycle without side-car:

(a) Immediately before or on an intersection other than a roundabout, except:

(i) In the case provided for in paragraph 1 (b) of this Article;

(ii) Where the road on which overtaking takes place has priority at the intersection;

(iii) Where traffic is directed at the intersection by an authorized official or by traffic light signals;

(b) Immediately before or on a level-crossing not equipped with gates or half-gates, provided however that Contracting Parties or subdivisions thereof shall be free to permit such overtaking at a level-crossing where road traffic is regulated by traffic light signals incorporating a positive signal authorizing vehicles to proceed.

9. A vehicle shall not overtake another vehicle which is approaching a pedestrian crossing marked on the carriageway or signposted as such, or which is stopped immediately before the crossing, otherwise than at a speed low enough to enable it to stop immediately if a pedestrian is on the crossing. Nothing in this paragraph shall be construed as preventing Contracting Parties or subdivisions thereof from prohibiting overtaking within a prescribed distance from a pedestrian crossing, or from imposing stricter requirements on a driver of a vehicle proposing to overtake another vehicle stopped immediately before such a crossing.

10. A driver who perceives that a driver following him wishes to overtake him shall, except in the case provided for in Article 16, paragraph 1 (b) of this Convention, keep close to the edge of the carriageway appropriate to the direction of traffic and refrain from accelerating. If, owing to the narrowness, profile or condition of the carriageway, taken in conjunction with the density of oncoming traffic, a vehicle which is slow or bulky or is required to observe a speed limit cannot be easily and safely overtaken, the driver of such vehicle shall slow down and if necessary pull in to the side as soon as possible in order to allow vehicles following him to overtake.

11. (a) Contracting Parties or subdivisions thereof may, on one-way carriageways and on two-way carriageways where at least two lanes in built-up areas and three lanes outside built-up areas are reserved for traffic in the same direction and are indicated by longitudinal markings:

- (i) Allow vehicles in one lane to overtake on the side appropriate to the direction of traffic vehicles in another lane; and
- (ii) Make inapplicable the provisions of Article 10, paragraph 3, of this Convention;

provided that there are adequate restrictions on the possibility of changing lanes;

(b) In the case referred to in subparagraph (a) of this paragraph, without prejudice to the provisions of paragraph 9 of this Article, the manner of driving provided for shall not be deemed to constitute overtaking within the meaning of this Convention.

## ARTICLE 12

### Passing of oncoming traffic

1. When passing oncoming traffic, a driver shall leave sufficient lateral space and, if necessary, move close to the edge of the carriageway appropriate to the direction of traffic. If in so doing he finds his progress impeded by an obstruction or by the presence of other road-users, he shall slow down and if necessary stop to allow the oncoming road-user or road-users to pass.

2. On mountain roads and steep roads with characteristics similar to those of mountain roads, where the passing of oncoming traffic is impossible or difficult, it is the driver of the vehicle travelling downhill who should pull in to the side of the road in order to allow any vehicle proceeding uphill to pass, except where the arrangement of lay-bys to enable vehicles to pull in to the side of the road is such that, having regard to the speed and position of the vehicles, the vehicle proceeding uphill has a lay-by ahead of it and the need for one of the vehicles to reverse could be avoided if the vehicle proceeding uphill pulled in to that lay-by. Where one of the two vehicles

which are about to pass is obliged to reverse in order to make passing possible, this manoeuvre shall be performed by the driver of the vehicle proceeding downhill unless it can manifestly be more easily performed by the driver of the vehicle proceeding uphill. However, Contracting Parties or subdivisions thereof may prescribe for certain vehicles or certain roads or sections of roads special rules differing from those laid down in this paragraph.

## ARTICLE 13

### Speed and distance between vehicles

1. Every driver of a vehicle shall in all circumstances have his vehicle under control so as to be able to exercise due and proper care and to be at all times in a position to perform all manoeuvres required of him. He shall, when adjusting the speed of his vehicle, pay constant regard to the circumstances, in particular the lie of the land, the state of the road, the condition and load of his vehicle, the weather conditions and the density of traffic, so as to be able to stop his vehicle within his range of forward vision and short of any foreseeable obstruction. He shall slow down and if necessary stop whenever circumstances so require, and particularly when visibility is not good.<sup>19</sup>
2. Domestic legislation shall establish maximum speed limits for all roads. Domestic legislation shall also determine special speed limits applicable to certain categories of vehicles presenting a special danger, in particular by reason of their mass or their load. They may establish similar provisions for certain categories of drivers, in particular for new drivers.
3. The provisions set out in the first sentence of paragraph 2 may not apply to drivers of priority vehicles referred to in article 34, paragraph 2, or vehicles treated as such in domestic legislation.
4. No driver shall impede the normal progress of other vehicles by travelling abnormally slowly without proper cause.
5. The driver of a vehicle moving behind another vehicle shall keep at a sufficient distance from that other vehicle to avoid collision if the vehicle in front should suddenly slow down or stop.
6. Outside built-up areas, in order to facilitate overtaking, drivers of vehicles or combinations of vehicles of more than 3,500 kg permissible maximum mass, or of more than 10 m overall length, shall, except when they are overtaking or preparing to overtake, keep at such distance from power-driven vehicles ahead of them that other vehicles overtaking them can without danger move into the space in front of the overtaken vehicle. However, this provision shall not apply in very dense traffic or in circumstances where overtaking is prohibited. In addition:
  - (a) The competent authorities may exempt certain conveyances of vehicles from this provision, or may similarly make it inapplicable on roads where two lanes are allotted to traffic in the direction concerned;
  - (b) Contracting Parties and subdivisions thereof may prescribe different figures from those given in this paragraph with respect to the vehicle characteristics concerned.

## ARTICLE 14

### General requirements governing manoeuvres

1. Any driver wishing to perform a manoeuvre such as pulling out of or into a line of parked vehicles, moving over to the right or to the left on the carriageway, or turning left or right into another road or into a property bordering on the road, shall first make sure that he can do so without risk of endangering other road-users travelling behind or ahead of him or about to pass him, having regard to their position, direction and speed.
2. Any driver wishing to make a U-turn or to reverse shall first make sure that he can do so without endangering or impeding other road-users.
3. Before turning or before a manoeuvre which involves moving laterally, the driver shall give clear and sufficient warning of his intention by means of the direction-indicator or direction-indicators on his vehicle, or, failing this, by giving if possible an appropriate signal with his arm. The warning given by the direction-indicator or direction-indicators shall continue to be given throughout the manoeuvre and shall cease as soon as the manoeuvre is completed.

## ARTICLE 15

### Special regulations relating to regular public-transport service vehicles

It is recommended that domestic legislation should provide that in built-up areas, in order to facilitate the movement of regular public-transport service vehicles, the drivers of other vehicles shall, subject to the provisions of Article 17, paragraph 1, of this Convention, slow down and if necessary stop in order to allow the public-transport vehicles to perform the manoeuvre required for moving off from stops marked as such. The provisions thus laid down by Contracting Parties or subdivisions thereof shall in no way affect the duty incumbent on drivers of public-transport vehicles to take, after having given warning by means of their direction-indicators of their intention to move off, the precautions necessary to avoid any risk of accident.

## ARTICLE 16

### Change of direction

1. Before turning right or left for the purpose of entering another road or entering a property bordering on the road, a driver shall, without prejudice to the provisions of Article 7, paragraph 1, and of Article 14, of this Convention: If he wishes to turn off on the side appropriate to the direction of traffic, keep as close as possible to the edge of the carriageway appropriate to that direction and make as tight a turn as possible;

(a) If he wishes to turn off on the other side, and subject to such other provisions as Contracting Parties or subdivisions thereof may enact for cycles and mopeds enabling them to change direction, for instance by crossing the intersection in two separate stages, move as closely as possible to the centreline of the carriageway if it is a two-way carriageway or to the edge opposite to the side appropriate to the direction of traffic if it is a one-way carriageway and, if he wishes to enter another two-way road, make his turn so as to enter the carriageway of such other road on the side appropriate to the direction of traffic.

2. While changing direction, the driver shall, without prejudice to the provisions of Article 21 of this Convention regarding pedestrians, allow road users to pass on the carriageway, or on other parts of the same road he is preparing to leave.

## ARTICLE 17

### Slowing down

1. No driver of a vehicle shall brake abruptly unless it is necessary to do so for safety reasons.
2. Every driver intending to slow down to an appreciable extent shall, except where his slowing down is in response to an imminent danger, first make sure that he can do so without danger or undue inconvenience to other drivers. He shall also, unless he has made sure that there is no vehicle following him or that any following vehicle is a long way behind, give clear and timely warning of his intention by making an appropriate signal with his arm. However, this provision shall not apply if warning of slowing down is given by the vehicle's stop lights, referred to in Annex 5, paragraph 31, of this Convention.

## ARTICLE 18

### Intersections and obligation to give way

1. Every driver approaching an intersection shall exercise such extra care as may be appropriate to local conditions. Drivers of vehicles shall, in particular, drive at such a speed as to be able to stop to allow vehicles having the right of way to pass.
2. Every driver emerging from a path or an earth-track (dirt road) on to a road other than a path or an earth-track shall give way to vehicles travelling on that road. For the purposes of this Article the terms "path" and "earth-track" (dirt road) may be defined in domestic legislation.
3. Every driver emerging on to a road from a property bordering thereon shall give way to vehicles travelling on that road.
4. Subject to the provisions of paragraph 7 of this Article:
  - (a) In States where traffic keeps to the right the driver of a vehicle shall give way, at intersections other than those specified in paragraph 2 of this Article and in Article 25, paragraphs 2 and 4 of this Convention, to vehicles approaching from his right;
  - (b) Contracting Parties or subdivisions thereof in whose territories traffic keeps to the left shall be free to regulate the right of way at intersections as they see fit.
5. Even if traffic light signals authorize him to do so, a driver shall not enter an intersection if the density of traffic is such that he will probably be obliged to stop on the intersection, thereby obstructing or preventing the passage of cross traffic.
6. A driver who has entered an intersection where traffic is regulated by traffic light signals may clear the intersection without waiting for the way to be opened in the direction in which he wishes to proceed, provided that this does not impede the progress of other road-users moving in the open direction.
7. Drivers of vehicles not moving on rails shall give way to rail-borne vehicles.

## ARTICLE 19

### Level-crossings

Road-users shall exercise extra care in approaching and traversing level-crossings. In particular:

- (a) Every driver of a vehicle shall drive at a moderate speed;
- (b) Without prejudice to the obligation to obey an instruction to stop given by a light signal or a sound signal, no road-user shall enter a level-crossing at which the gates or half-gates are across the road or in process of being placed across the road, or at which the half-gates are in process of being raised;
- (c) If a level-crossing is not equipped with gates, half-gates or light signals, no road-user shall enter it without making sure that no rail-borne vehicle is approaching;
- (d) No driver shall enter a level-crossing without first ascertaining that he may not be obliged to stop on it;
- (e) No road-user shall linger while traversing a level crossing; if a vehicle is compelled to stop, its driver shall endeavour to move it off the track, and, if he is unable to do so, immediately do everything he can to ensure that the drivers of rail-borne vehicles are warned of the danger in time.

## ARTICLE 20

### Rules applicable to pedestrians

1. Contracting Parties or subdivisions thereof shall be free not to enforce the provisions of this Article except in cases where pedestrian traffic on the carriageway would be dangerous or would obstruct vehicular traffic.
2. If, at the side of the carriageway, there are pavements (sidewalks) or suitable verges for pedestrians, pedestrians shall use them. Nevertheless, if they take the necessary precautions:
  - (a) Pedestrians pushing or carrying bulky objects may use the carriageway if they would seriously inconvenience other pedestrians by walking on the pavement (sidewalk) or verge;
  - (b) Groups of pedestrians led by a person in charge or forming a procession may walk on the carriageway.
3. If it is not possible to use pavements (sidewalks) or verges, or if none is provided, pedestrians may walk on the carriageway; where there is a cycle track and the density of traffic so permits, they may walk on the cycle track, but shall not obstruct cycle and moped traffic in doing so.
4. Pedestrians walking on the carriageway in accordance with paragraphs 2 and 3 of this Article shall keep as close as possible to the edge of the carriageway.
5. It is recommended that domestic legislation should provide as follows: pedestrians walking on the carriageway shall keep to the side opposite to that appropriate to the direction of traffic except where to do so places them in danger. However, persons pushing a cycle, a moped or a motorcycle, and groups of pedestrians led by a person in charge or forming a procession shall in all cases keep to the side of the carriageway appropriate to the direction of traffic. Unless they form a procession, pedestrians walking on the carriageway shall, by night or when visibility is poor and, by day, if the density of vehicular traffic so requires, walk in single file wherever possible.



6. (a) Pedestrians wishing to cross a carriageway shall not step on to it without exercising care; they shall use a pedestrian crossing whenever there is one nearby;

(b) In order to cross the carriageway at a pedestrian crossing signposted as such or indicated by markings on the carriageway:

- (i) If the crossing is equipped with light signals for pedestrians, the latter shall obey
- (ii) If the crossing is not equipped with such lights, but vehicular traffic is regulated by traffic light signals or by an authorized official, pedestrians shall not step onto the carriageway while the traffic light signal or the signal given by the authorized official indicates that vehicles may proceed along it;
- (iii) At other pedestrian crossings, pedestrians shall not step on to the carriageway without taking the distance and speed of approaching vehicles into account.

(c) In order to cross the carriageway elsewhere than at a pedestrian crossing signposted as such or indicated by markings on the carriageway, pedestrians shall not step on to the carriageway without first making sure that they can do so without impeding vehicular traffic.

(d) Once they have started to cross a carriageway, pedestrians shall not take an unnecessarily long route, and shall not linger or stop on the carriageway unnecessarily.

7. However, Contracting Parties or subdivisions thereof may impose stricter requirements on pedestrians crossing the carriageway.

## ARTICLE 21

### Behaviour of drivers towards pedestrians

1. Every driver shall avoid behaviour likely to endanger pedestrians.

2. Without prejudice to the provisions of Article 7, paragraph 1, Article 11, paragraph 9, and Article 13, paragraph 1, of this Convention, where there is on the carriageway a pedestrian crossing signposted as such or indicated by markings on the carriageway:

(a) If vehicular traffic is regulated at that crossing by traffic light signals or by an authorized official, drivers forbidden to proceed shall stop short of the crossing or the transverse markings preceding it and, when they are permitted to proceed, shall not prevent or obstruct the passage of pedestrians who have stepped on to it; drivers turning into another road at the entrance to which there is a pedestrian crossing shall do so slowly and give way, if necessary stopping for this purpose, to pedestrians already using, or about to use, the crossing;

(b) If vehicular traffic is not regulated at that crossing by traffic light signals or by an authorized official, drivers shall approach the crossing only at a speed low enough not to endanger pedestrians using, or about to use, it; if necessary, they shall stop to allow such pedestrians to cross.

3. No provision of this Article shall be construed as preventing Contracting Parties or subdivisions thereof from:

Requiring drivers of vehicles to stop in all cases when pedestrians are using, or about to use, a pedestrian crossing signposted as such or indicated by markings on the carriageway in the conditions laid down in Article 20 of this Convention, or

Prohibiting them from preventing or obstructing the passage of pedestrians who are crossing the carriageway at or very near an intersection even if there is at that point no pedestrian crossing signposted as such or indicated by markings on the carriageway.

4. Drivers intending to overtake, on the side appropriate to the direction of traffic, a public transport vehicle at a stop marked as such shall slow down and if necessary stop to allow passengers to board or alight from that vehicle.

## ARTICLE 22

### Islands on the carriageway

Without prejudice to the provisions of Article 10 of this Convention, a driver may pass to the left or to the right of islands, posts and other devices set up on the carriageway on which he is travelling, except in the following cases:

- (a) Where the side on which the island, post or device shall be passed is indicated by a sign;
- (b) Where the island, post or device is on the centre-line of a two-way carriageway; in this case the driver shall keep to the side of the island, post or device corresponding to the direction of traffic.

## ARTICLE 23

### Standing and parking

1. Outside built-up areas, standing or parked vehicles and halted animals shall so far as possible be stationed elsewhere than on the carriageway. Both in and outside built-up areas they shall not be stationed on cycle tracks, cycle lanes, bus lanes, tracks for horseback riders, footpaths, pavements or on verges specially provided for pedestrian traffic, save where applicable domestic legislation so permits.

2. (a) Animals halted and vehicles standing or parked on the carriageway shall be kept as close as possible to the edge of the carriageway. A driver shall not stand or park his vehicle on a carriageway save on the side appropriate, for him, to the direction of traffic; nevertheless, standing or parking on the other side shall be permitted where standing or parking on the side appropriate to the direction of traffic is prevented by the presence of rail tracks. Moreover, Contracting Parties or subdivisions thereof may:

- (i) Refrain from prohibiting standing and parking on one side or the other in certain conditions, for instance where standing on the side appropriate to the direction of traffic is prohibited by road signs;
- (ii) On one-way carriageways, authorize standing and parking on the other side as well as or instead of on the side appropriate to the direction of traffic;
- (iii) Authorize standing and parking in the middle of the carriageway at places specially marked;

(b) Save where domestic legislation provides otherwise, vehicles other than two-wheeled cycles, two-wheeled mopeds and two-wheeled motorcycles without side-car shall not stand or be parked two abreast on the carriageway. Standing or parked vehicles shall, unless the layout of the area permits otherwise, be placed parallel to the edge of the carriageway.

3. (a) The standing or parking of a vehicle on the carriageway shall be prohibited:
- (i) On pedestrian crossings, on crossings for cyclists, and on level-crossings;
  - (ii) On tramway or railway tracks on a road or so close to such tracks that the movement of trams or trains might be impeded, and also, subject to the possibility for Contracting Parties or subdivisions thereof to provide otherwise, on pavements and cycle tracks;
- (b) The standing or parking of a vehicle at any point where it would constitute a danger shall be prohibited, more particularly:
- (i) Save in such spaces as may be specially marked, under flyovers and in tunnels;
  - (ii) On the carriageway, close to the crests of hills, and on bends where visibility is not sufficient for the vehicle to be overtaken in complete safety, having regard to the speed of vehicles on the section of the road in question;
  - (iii) On a carriageway beside a longitudinal road marking, where subparagraph (b) (ii) of this paragraph does not apply but the width of the carriageway between the marking and the vehicle is less than 3 m and the marking is such that vehicles approaching it on the same side are forbidden to cross it;
  - (iv) At any place where the vehicle would conceal road signs or traffic light signals from the view of road-users;
  - (v) On an additional lane indicated by a sign for slowly moving vehicles;
- (c) The parking of a vehicle on the carriageway shall be prohibited:
- (i) On approaches to level-crossings, to intersections and to bus, trolley-bus or rail vehicle stops; within the distances prescribed by domestic legislation;<sup>36</sup>
  - (ii) In front of vehicle entries to properties;
  - (iii) At any point where the parked vehicle would prevent access to another vehicle properly parked or prevent such other vehicle from moving out;
  - (iv) On the central carriageway of three-carriageway roads and, outside built-up areas, on the carriageways of roads marked as priority roads by appropriate signs.

4. A driver shall not leave his vehicle or his animals without having taken all suitable precautions to avoid any accident and, in the case of a motor vehicle, to prevent its unauthorized use.

5. It is recommended that domestic legislation should provide as follows: every power-driven vehicle other than a two-wheeled moped or a two-wheeled motorcycle without side-car, and every trailer coupled or uncoupled shall when stationary on the carriageway outside a built-up area be signalled to approaching drivers at a sufficient distance by means of at least one appropriate device placed at the most suitable point to give them adequate advance warning:

(a) If the vehicle is stationary at night on the carriageway in circumstances such that approaching drivers cannot be aware of the obstacle which the vehicle constitutes;

(b) If the driver, in other cases, has been compelled to halt his vehicle at a place where standing is prohibited.

6. Nothing in this Article shall be construed as preventing Contracting Parties or subdivisions thereof from introducing other provisions on parking and standing or from making individual provisions for the standing and parking of cycles and mopeds.

## ARTICLE 24

### Opening of doors

It shall be prohibited to open the door of a vehicle, to leave it open, or to alight from the vehicle without having made sure that to do so cannot endanger other road-users.

## ARTICLE 25

### Motorways and similar roads

1. On motorways and, if so provided in domestic legislation, on special approach roads to and exit roads from motorways:

(a) The use of the road shall be prohibited to pedestrians, animals, cycles, mopeds unless they are treated as motorcycles, and all vehicles other than motor vehicles and their trailers, and to motor vehicles or motor-vehicle trailers which are incapable, by virtue of their design, of attaining on a flat road a speed specified by domestic legislation;

(b) Drivers shall be forbidden:

- (i) To have their vehicles standing or parked elsewhere than at marked parking sites; if a vehicle is compelled to stop, its driver shall endeavour to move it off the carriageway and also off the flush verge and, if he is unable to do so, immediately signal the presence of the vehicle at a distance so as to warn approaching drivers in time;
- (ii) To make U-turns, to travel in reverse, and to drive on to the central dividing strip, including the crossovers linking the two carriageways.

2. Drivers emerging on to a motorway shall give way to vehicles travelling on it. If there is an acceleration lane, they shall use it.

3. A driver leaving a motorway shall move into the traffic lane appropriate to the motorway exit in good time and enter the deceleration lane, if there is one, as soon as he can.

4. For the purpose of the application of paragraphs 1, 2 and 3 of this Article, other roads reserved for motor vehicle traffic, duly signposted as such and not affording access to or from properties alongside, shall be treated as motorways.

## ARTICLE 25 bis

### Special regulations for tunnels indicated by special road signs

In tunnels indicated by the special road signs, the following rules shall apply:

1. All drivers are forbidden:

- (a) to reverse;

- (b) to make a U-turn;
- 2. Even if the tunnel is lit, all drivers must switch on the driving or passing lamps.
- 3. Drivers are permitted to stop or park a vehicle only in case of emergency or danger. In doing so, they must, where possible, use the places specially indicated.
- 4. In case of a prolonged stoppage the driver must switch off the engine.

## ARTICLE 26

### Special rules applicable to processions and handicapped persons

- 1. It shall be prohibited for road-users to cut across troop columns, files of schoolchildren accompanied by a person in charge, and other processions.
- 2. Handicapped persons travelling in invalid chairs propelled by themselves or moving at a walking pace may use pavements (sidewalks) and suitable verges.

## ARTICLE 27

### Special rules applicable to cyclists, moped drivers and motorcyclists

- 1. Notwithstanding the provisions of Article 10, paragraph 3, of this Convention, Contracting Parties or subdivisions thereof shall be free not to prohibit cyclists from travelling two or more abreast.
- 2. It shall be prohibited for cyclists to ride without holding the handlebars with at least one hand, to allow themselves to be towed by another vehicle, or to carry, tow or push objects which hamper their cycling or endanger other road-users. The same provisions shall apply to moped drivers and motorcyclists; in addition, however, moped drivers and motorcyclists shall hold the handlebars with both hands except when signalling the manoeuvre described in Article 14, paragraph 3, of this Convention.
- 3. It shall be prohibited for cyclists and moped drivers to carry passengers on their vehicle; however, Contracting Parties or subdivisions thereof may authorize exceptions to this provision and, in particular, authorize the transport of passengers on such additional saddle or saddles as may be fitted on the vehicle. Motorcyclists shall not be permitted to carry passengers except in the side-car, if there is one, and on the additional saddle (pillion), if any, fitted behind the driver.
- 4. Where cycle lanes or cycle tracks exist, Contracting Parties or subdivisions thereof may forbid cyclists to use the rest of the carriageway. In the same circumstances, they may authorize moped drivers to use the cycle lane or cycle track and, if they consider it advisable, prohibit them from using the rest of the carriageway. Domestic legislation shall specify under what conditions other road users may use the cycle lane or cycle track or cross them, maintaining cyclists' safety at all times.

## ARTICLE 28

### Audible and luminous warnings

- 1. Audible warning devices may be used only:

- (a) To give due warning with a view to avoiding an accident;
- (b) Outside built-up areas when it is desirable to warn a driver that he is about to be overtaken.

The sounds emitted by audible warning devices shall not be prolonged more than necessary.

2. Motor-vehicle drivers may give the luminous warnings specified in Article 32, paragraph 3, of this Convention, instead of audible warnings, between nightfall and dawn. They may also do so in daylight hours for the purpose indicated in paragraph 1 (b) of this Article, if to do so is more appropriate in the prevailing circumstances.

3. Contracting Parties or subdivisions thereof may authorize the use of luminous warnings in built-up areas also for the purpose referred to in paragraph 1 (b) of this Article.

## ARTICLE 29

### Rail-borne vehicles

1. Where a railway uses a carriageway, every road-user shall, on the approach of a tram or other rail-borne vehicle clear the track as soon as possible to allow the rail-borne vehicle to pass.

2. Contracting Parties or subdivisions thereof may adopt special rules, differing from those laid down in this Chapter, for the movement of rail-borne vehicles on the road and for passing or overtaking such vehicles. However, Contracting Parties or subdivisions thereof may not adopt provisions which conflict with those of Article 18, paragraph 7, of this Convention.

## ARTICLE 30

### Loading of vehicles

1. If a permissible maximum mass is laid down for a vehicle, the laden mass of the vehicle shall never exceed the permissible maximum mass.

2. Every load on a vehicle shall be so arranged and, if necessary, stowed as to prevent it from:

- (a) Endangering persons or causing damage to public or private property, more particularly by trailing on or falling on to the road;

- (b) Obstructing the driver's view or impairing the stability or driving of the vehicle;

- (c) Causing noise, raising dust, or creating any other nuisance which can be avoided;

- (d) Masking lights, including stop lights and direction-indicators, reflex reflectors, registration numbers and the distinguishing sign of the State of registration with which, under this Convention or under domestic legislation, the vehicle is required to be equipped, or masking signals given by arm in accordance with Article 14, paragraph 3, or Article 17, paragraph 2, of this Convention.

3. All accessories, such as cables, chains and sheets, used to secure or protect the load shall be drawn tight around the load and be firmly fastened. All accessories used to protect the load shall satisfy the requirements laid down for the load in paragraph 2 of this Article.

4. Loads projecting beyond the front, rear or sides of the vehicle shall be clearly marked in all cases where their projection might not be noticed by the drivers of other vehicles; at night, a white

light and a white reflecting device shall be used for such marking at the front and a red light and a red reflecting device at the rear. More particularly, on power-driven vehicles:

(a) Loads projecting more than 1 m beyond the front or rear of the vehicle shall always be marked;

(b) Loads projecting laterally beyond the outer edge of the vehicle in such a way that their lateral outer edge is more than 0.40 m from the outer edge of the vehicle's front position (side) light shall be marked at the front at night, and loads projecting in such a way that their lateral outer edge is more than 0.40 m from the outer edge of the vehicle's red rear position (side) light shall be similarly marked at the rear at night.

5. Nothing in paragraph 4 of this Article shall be construed as preventing Contracting Parties or subdivisions thereof from prohibiting, restricting, or subjecting to special authorization, load projections as referred to in the aforesaid paragraph 4.

## ARTICLE 30 bis

### Carriage of passengers

Passengers shall not be carried in such numbers or in such a way as to interfere with driving or obstruct the driver's view.

## ARTICLE 31

### Behaviour in case of accident

1. Without prejudice to the provisions of domestic legislation concerning the obligation to assist the injured, every driver or other road-user involved in a traffic accident shall:

(a) Stop as soon as he can do so without causing an additional danger to traffic;

(b) Endeavour to ensure traffic safety at the site of the accident and, if a person has been killed or seriously injured in the accident, to prevent, insofar as such action does not affect traffic safety, any change in conditions at the site, including the disappearance of traces which might be useful for determining responsibilities;

(c) If so requested by other persons involved in the accident, identify himself to them;

(d) If a person has been injured or killed in the accident, notify the police and remain on the scene of the accident or return to it and wait there until the arrival of the police, unless he has been authorized by the police to leave or has to assist the injured or to receive attention himself.

2. Contracting Parties or subdivisions thereof may, under their domestic legislation, refrain from imposing the provision of paragraph 1 (d) of this Article in cases where no serious injury has been caused and none of the persons involved requests that the police should be notified.

## ARTICLE 32

### Rules of the use of lamps

1. Between nightfall and dawn and in any other circumstances when visibility is inadequate on account, for example, of fog, snowfall or heavy rain, the following lamps shall be lit on a moving vehicle:

(a) On power-driven vehicles and mopeds the driving lamp(s) or passing lamp(s) and the rear position lamp(s), according to the equipment prescribed by the present Convention for the vehicle of each category;

(b) On trailers, front position lamps, if such lamps are required according to Annex 5, paragraph 30, of this Convention, and not less than two rear position lamps.

2. Driving lamps shall be switched off and replaced by passing lamps:

(a) In built-up areas where the road is adequately lighted and outside built-up areas where the carriageway is continuously lighted and the lighting is sufficient to enable the driver to see clearly for an adequate distance and to enable other road-users to see the vehicle far enough away;

(b) When a driver is about to pass another vehicle, so as to prevent dazzle far enough away to enable the driver of the other vehicle to proceed easily and without danger;

(c) In any other circumstances in which it is necessary to avoid dazzling other road-users or the users of a waterway or railway running alongside the road.

3. When, however, a vehicle is following closely behind another vehicle, driving lamps may be used to give a luminous warning as referred to in Article 28, paragraph 2, of the intention to overtake.

4. Fog lamps may be lit only in thick fog, falling snow, heavy rain or similar conditions and, as regards front fog lamps, as a substitute for passing lamps. Domestic legislation may authorize the simultaneous use of front fog lamps and passing lamps and the use of front fog lamps on narrow, winding roads.

5. On vehicles equipped with front position lamps, such lamps shall be used together with the driving lamps, the passing lamps or the front fog lamps.

6. During the day, a motorcycle moving on the road shall display at least one passing lamp to the front and a red lamp to the rear. Domestic legislation may permit the use of daytime running lamps instead of passing lamps.

7. Domestic legislation may make it compulsory for drivers of motor vehicles to use during the day either passing lamps or daytime running lamps. Rear position lamps shall in this case be used together with the front lamps.

8. Between nightfall and dawn and in any other circumstances when visibility is inadequate, the presence of power-driven vehicles and their trailers standing or parked on a road shall be indicated by front and rear position lamps. In thick fog, falling snow, heavy rain or similar conditions passing lamps or front fog lamps may be used. Rear fog lamps may in these conditions be used as a supplement to the rear position lamps.

9. Notwithstanding the provisions of paragraph 8 of this Article, within a built-up area the front and rear position lamps may be replaced by parking lamps, provided that:

(a) The vehicle does not exceed 6 m in length and 2 m in width;

(b) No trailer is coupled to the vehicle;



(c) The parking lamps are placed on that side of the vehicle which is furthest from the carriageway edge alongside which the vehicle is standing or parked.

10. Notwithstanding the provisions of paragraphs 8 and 9 of this Article, a vehicle may be standing or parked without any lamps lit:

(a) On a road lit in such a way that the vehicle is clearly visible at an adequate distance;

(b) Away from the carriageway and hard shoulder;

(c) In the case of mopeds and two-wheeled motorcycles without a side-car which are not equipped with batteries, at the extreme edge of a carriageway in a built-up area.

11. Domestic legislation may grant exemptions from the provisions of paragraphs 8 and 9 of this Article for vehicles standing or parked in streets in built-up areas where there is very little traffic.

12. Reversing lamps may be used only when the vehicle is reversing or about to reverse.

13. Hazard warning signal may be used only to warn other road-users of a particular danger:

(a) When a vehicle which has broken down or has been involved in an accident cannot be moved immediately, so that it constitutes an obstacle to other road-users;

(b) When indicating to other road-users the risk of an imminent danger.

14. Special warning lamps:

(a) Displaying a blue light may be used only on priority vehicles when carrying out an urgent mission or when in other cases it is necessary to give warning to other road-users of the presence of the vehicle;

(b) Displaying an amber light may be used only when the vehicles genuinely assigned to the specific tasks for which they were equipped with the special warning lamp or when the presence of such vehicles on the road constitutes a danger or inconvenience to other road-users.

The use of warning lamps displaying other colours may be authorized by domestic legislation.

15. In no circumstances shall a vehicle display a red light to the front or white light to the rear, subject to the exemptions mentioned in Annex 5, paragraph 61. A vehicle shall not be modified or lamps added to it in a way which could conflict with this requirement.

## ARTICLE 33

### Rules of lighting of other vehicles than mentioned in Article 32 and of certain road users

1. Every vehicle or combination of vehicles to which the provisions of Article 32 of this Convention do not apply shall, when on a road between nightfall and dawn, show at least one white or selective-yellow light to the front and at least one red light to the rear. Where there is only one lamp at the front or only one lamp at the rear, the lamp shall be placed on the centre-line of the vehicle or on the side opposite to that corresponding to the direction of traffic.

(a) Handcarts, i.e., carts drawn or pushed by hand, shall show at least one white or selective-yellow light to the front and at least one red light to the rear. These two lights may be

emitted by a single lamp placed on the side opposite to that corresponding to the direction of traffic. Lights shall not be required on handcarts not exceeding 1 m in width.

(b) Animal-drawn vehicles shall show two white or selective-yellow lights to the front, and two red lights to the rear. Domestic legislation may, however, make it permissible for such vehicles to show only one white or selective-yellow light to the front and only one red light to the rear. The lamps shall in both cases be placed on the side opposite to that corresponding to the direction of traffic. If the lamps described above cannot be attached to the vehicle, they may be carried by an escort walking immediately alongside the vehicle, on the opposite side to that corresponding to the direction of traffic. Furthermore, animal-drawn vehicles shall be fitted with two red reflex-reflectors to the rear, as close as possible to the outer edges of the vehicle. Lights shall not be required on animal -drawn vehicles not exceeding 1 m in width. However, a single reflex-reflector shall in this case be placed at the rear on the side opposite to that corresponding to the direction of traffic, or centrally.

2. (a) When moving along the carriageway by night:

(i) Groups of pedestrians led by a person in charge or forming a procession, must display, on the side opposite to that appropriate to the direction of traffic, at least one white or selective-yellow light to the front and a red light to the rear, or an amber light in both directions;

(ii) Drivers of draught, pack or saddle animals, or of cattle, must display, on the side opposite to that appropriate to the direction of traffic, at least one white or selective--yellow light to the front and a red light to the rear, or an amber light in both directions. These lights may be displayed by a single device.

(b) The lights referred to in subparagraph (a) of this paragraph are, however, not required within an appropriately lit built-up area.

## ARTICLE 34

### Exemptions

1. When warned of the approach of a priority vehicle by its special luminous and audible warning devices every road-user shall leave room clear for it to pass on the carriageway and shall, if necessary, stop.

2. Domestic legislation may provide that drivers of priority vehicles shall not be bound, when warning of their movement is given by the vehicle's special warning devices, and provided that they do not endanger other road-users, to comply with all or any of the provisions of this Chapter II other than those of Article 6, paragraph 2.

3. Domestic legislation may determine to what extent persons working on the construction, repair or maintenance of the road, including the drivers of equipment used for such work, shall not be bound, provided they take the necessary precautions, to observe the provisions of this Chapter II during their work.

4. For the purpose of overtaking or passing the equipment referred to in paragraph 3 of this Article while it is engaged in work on the road, the drivers of other vehicles may, to the extent necessary and on conditions that they take all due precautions, disregard the requirements of Articles 11 and 12 of this Convention.

## Chapter III

### CONDITIONS FOR THE ADMISSION OF MOTOR VEHICLES

## AND TRAILERS TO INTERNATIONAL TRAFFIC

### ARTICLE 35

#### Registration

2. (a) In order to be entitled to the benefits of this Convention, every motor vehicle in international traffic, and every trailer, other than a light trailer, coupled to a motor vehicle shall be registered by a Contracting Party or a subdivision thereof, and the driver of the motor vehicle shall carry a valid certificate of such registration issued either by a competent authority of such Contracting Party or subdivision thereof or on behalf and by authorization of such Contracting Party or subdivision thereof by an association duly empowered thereto by that Contracting Party or subdivision thereof. This certificate, to be known as the registration certificate, shall bear the following particulars at least:

A serial number, to be known as the registration number, composed in the manner indicated in Annex 2 to this Convention;

The date of first registration of the vehicle;

The full name and home address of the holder of the certificate;

The name or the trademark of the maker of the vehicle;

The serial number of the chassis (the maker's production or serial number);

In the case of a vehicle intended for the carriage of goods, the permissible maximum mass;

In the case of a vehicle intended for the carriage of goods, the unladen mass;

The period of validity, if not unlimited.

The particulars entered in the certificate shall either be in Latin characters or so-called English cursive script only, or be repeated in that form.

(b) Contracting Parties or subdivisions thereof may, however, decide that the year of manufacture, instead of the date of first registration, shall be entered on certificates issued in their territories.

(c) In the case of motor vehicles of categories A and B as defined in Annexes 6 and 7 to this Convention and, if possible, for other motor vehicles:

(i) The certificate shall be headed with the distinguishing sign of the State of registration as defined in Annex 3 to this Convention;

(ii) The letters A, B, C, D, E, F, G and H respectively shall be placed before or after the eight items of information which are required under subparagraph (a) of this paragraph, to be shown on all registration certificates;

(iii) The words *Certificat d'immatriculation* in French may be placed either before or after the title of the certificate in the national language (or languages) of the country of registration.

(d) For trailers, including semi-trailers, imported temporarily into a country by a mode of transport other than road transport, a photocopy of the registration certificate, certified as a true copy by the authority which issued the certificate, shall be considered sufficient.

2. Notwithstanding the provisions of paragraph 1 of this Article, an articulated vehicle which is not disassembled while in international traffic shall be entitled to the benefits of the provisions of this Convention even if it has only a single registration and a single certificate for the drawing vehicle and semi-trailer composing it.

3. Nothing in this Convention shall be construed as limiting the right of Contracting Parties or subdivisions thereof to require, in the case of a vehicle in international traffic which is not registered in the name of a person travelling in it, proof of the driver's right to be in possession of the vehicle.

4. It is recommended that Contracting Parties should set up, if they have not already done so, a service responsible for keeping, at the national or regional level, a record of motor vehicles brought into use and a centralized record, for each vehicle, of the particulars entered in each certificate of registration.

## ARTICLE 36

### Registration number

1. Every motor vehicle in international traffic shall display its registration number at the front and at the rear; motorcycles, however, shall only be required to display this number at the rear.

2. Every registered trailer in international traffic shall display its registration number at the rear. Where a motor vehicle draws one or more trailers, the sole trailer or the last trailer, if not registered, shall display the registration number of the drawing vehicle.

3. The composition of the registration number referred to in this Article, and the manner of displaying it, shall conform to the provisions of Annex 2 to this Convention.

## ARTICLE 37

### Distinguishing sign of the State of registration

1. (a) Every motor vehicle in international traffic shall display at the rear, in addition to its registration number, the distinguishing sign of the State in which it is registered.

(b) This sign may either be placed separately from the registration plate or may be incorporated into the registration plate.

(c) When the distinguishing sign is incorporated into the registration plate, it must also appear on the front registration plate of the vehicle if such is obligatory.

2. Every trailer coupled to a motor vehicle and required under Article 36 of this Convention to display a registration number at the rear shall also display at the rear, either separately from its registration plate or incorporated into it, the distinguishing sign of the State where the registration number was assigned.

The provisions of this paragraph shall be applicable even if the trailer is registered in a State other than the State of registration of the motor vehicle to which it is coupled; if the trailer is not registered, it shall display at the rear the distinguishing sign of the State of registration of the drawing vehicle except when it is travelling in that State.

3. The composition of the distinguishing sign, and the manner of displaying it or its incorporation into the registration plate, shall conform to the conditions laid down in Annexes 2 and 3 to this Convention.

## ARTICLE 38

### Identification marks

Every motor vehicle and every trailer in international traffic shall bear the identification marks specified in Annex 4 to this Convention.

## ARTICLE 39

### Technical requirements and inspection of vehicles

1. Every motor vehicle, every trailer and every combination of vehicles in international traffic shall satisfy the provisions of Annex 5 to this Convention. It shall also be in good working order. When these vehicles are fitted with systems, parts and equipment that are in conformity with the conditions of construction, fitting and utilization according to technical provisions of international legal instruments referred to in Article 8, paragraph 5bis of this Convention, they shall be deemed to be in conformity with Annex 5..
2. Domestic legislation shall require periodic technical inspections of:
  - (a) Motor vehicles used for the carriage of persons and having more than eight seats in addition to the driver's seat;
  - (b) Motor vehicles used for the carriage of goods whose permissible maximum mass exceeds 3,500 kg and trailers designed to be coupled to such vehicles.
3. Domestic legislation shall, as far as possible, extend the provision of paragraph 2 to the other categories of vehicles.

## ARTICLE 40

### Transitional provision

1. For a period of 10 years from the entry into force of this Convention in accordance with Article 47, paragraph 1, trailers in international traffic, whatever their permissible maximum mass, shall be entitled to the benefits of the provisions of this Convention even if they are not registered.
2. The registration certificate shall conform with the provisions of the amendment to Article 35, paragraph 1 within five years from the date of its entry into force. Certificates issued during that period shall be mutually recognized until the expiry date inscribed therein.

## Chapter IV

### DRIVERS OF MOTOR VEHICLES

## ARTICLE 41

### Driving permits

1. (a) Every driver of a motor vehicle must hold a driving permit;

(b) Contracting Parties undertake to ensure that driving permits are issued only after verification by the competent authorities that the driver possesses the required knowledge and skills; the persons authorized to check if drivers have the necessary knowledge and skills must have appropriate qualifications; the contents and procedure of both theoretical and practical exams are regulated by national legislation;

(c) Domestic legislation must lay down requirements for obtaining a driving permit. In particular, it shall specify the minimum ages for holding a permit, the medical conditions to be fulfilled and the conditions for passing the theoretical and practical exams;

(d) Nothing in this Convention shall be construed as preventing Contracting Parties or subdivisions thereof from requiring driving permits for other power-driven vehicles and mopeds.

2. (a) Contracting Parties shall recognize:

(i) Any domestic permit conforming to the provisions of Annex 6 to this Convention;

(ii) Any international permit conforming to the provisions of Annex 7 to this Convention, on condition that it is presented with the corresponding domestic driving permit,

as valid for driving in their territories a vehicle coming within the categories covered by the permits, provided that the permits are still valid and that they were issued by another Contracting Party or subdivision thereof or by an association duly empowered thereto by such other Contracting Party or one of its subdivisions;

(b) Driving permits issued by a Contracting Party shall be recognized in the territory of another Contracting Party until this territory becomes the place of normal residence of their holder;

(c) The provisions of this paragraph shall not apply to learner-driver permits.

3. Domestic legislation may limit the period of validity of a domestic driving permit. The period of validity of an international permit shall be either no more than three years after the date of issue or until the date of expiry of the domestic driving permit, whichever is earlier.

4. Notwithstanding the provisions of paragraphs 1 and 2:

(a) Where the validity of the driving permit is made subject by special endorsement to the condition that the holder shall wear certain devices or that the vehicle shall be equipped in a certain way to take account of the driver's disability, the permit shall not be recognized as valid unless those conditions are observed;

(b) Contracting Parties may refuse to recognize the validity in their territories of driving permits held by persons under eighteen years of age;

(c) Contracting Parties may refuse to recognize the validity in their territories, for the driving of motor vehicles or combinations of vehicles in categories C, D, CE and DE referred to in Annexes 6 and 7 to this Convention, of driving permits held by persons under twenty-one years of age.

5. An international permit shall be issued only to the holder of a domestic permit for the issue of which the minimum conditions laid down in this Convention have been fulfilled. An international driving permit shall only be issued by the Contracting Party in whose territory the holder has his normal residence and which issued the domestic driving permit or which recognized the driving permit issued by another Contracting Party; it shall not be valid for use in that territory.
6. The provisions of this Article shall not require Contracting Parties:
  - (a) To recognize the validity of domestic permits issued in the territory of another Contracting Party to persons who had their normal residence in their territories at the time of such issue or whose normal residence has been transferred to their territories since such issue;
  - (b) To recognize the validity of domestic permits issued to drivers whose normal residence at the time of such issue was not in the territory in which the permit was issued or who since such issue have transferred their residence to another territory.

## ARTICLE 42

### Suspension of the validity of driving permits

1. Contracting Parties or subdivisions thereof may withdraw from a driver the right to use his domestic or international driving permit in their territories if he commits in their territories a breach of their regulations rendering him liable under their legislations to the forfeiture of his permit. In such a case the competent authority of the Contracting Party or subdivision thereof withdrawing the right to use the permit may:
  - (a) Withdraw and retain the permit until the period of the withdrawal of use expires or until the holder leaves its territory, whichever is the earlier;
  - (b) Notify the withdrawal of the right to use the permit to the authority by or on behalf of which the permit was issued;
  - (c) In the case of an international permit, enter in the space provided for the purpose an endorsement to the effect that the permit is no longer valid in its territories;
  - (b) Where it has not applied the procedure for which provision is made in subparagraph (a) of this paragraph, supplement the communication referred to in subparagraph (b) by requesting the authority which issued the permit, or on behalf of which the permit was issued, to notify the person concerned of the decision taken with regard to him.
2. Contracting Parties shall endeavour to notify the persons concerned of the decisions communicated to them in accordance with the procedure laid down in paragraph 1 (d) of this Article.
3. Nothing in this Convention shall be construed as prohibiting Contracting Parties or subdivisions thereof from preventing a driver holding a domestic or international driving permit from driving if it is evident or proved that his condition is such that he is unable to drive safely or if the right to drive has been withdrawn from him in the State in which he has his normal residence.

## ARTICLE 43

### Transitional provisions

1. Contracting Parties shall issue domestic driving permits in accordance with the new provisions of Annex 6 at the latest five years after their entry into force. Domestic driving permits issued in accordance with the earlier provisions of Article 41, Article 43 and Annex 6 to this Convention prior to the expiry of this period shall be recognized as long as they are valid.
2. Contracting Parties shall issue international driving permits in accordance with the new provisions of Annex 7 at the latest five years after their entry into force. International driving permits issued in accordance with the earlier provisions of Article 41, Article 43 and Annex 7 to this Convention prior to the expiry of this period shall be valid according to the conditions defined in Article 41, paragraph 3.

## Chapter V

### CONDITIONS FOR THE ADMISSION OF CYCLES AND MOPEDS TO INTERNATIONAL TRAFFIC

## ARTICLE 44

1. Cycles without an engine in international traffic shall:
  - (a) Have an efficient brake;
  - (b) Be equipped with a bell capable of being heard at a sufficient distance, and carry no other audible warning device;
  - (c) Be equipped with a red reflecting device at the rear and with devices such that the cycle can show a white or selective-yellow light to the front and a red light to the rear.
2. In the territory of Contracting Parties which have not, in accordance with Article 54, paragraph 2, of this Convention, made a statement to the effect that they treat mopeds as motorcycles, mopeds in international traffic shall:
  - (a) Have two independent brakes;
  - (b) Be equipped with a bell or some other audible warning device capable of being heard at a sufficient distance;
  - (c) Be equipped with an effective exhaust silencer;
  - (d) Be so equipped that they can show a white or selective-yellow light to the front and a red light and a red reflex-reflector to the rear;
  - (e) Display the identification mark specified in Annex 4 to this Convention.
3. In the territories of Contracting Parties which have, in accordance with Article 54, paragraph 2, of this Convention, declared that they treat mopeds as motorcycles, the conditions to be fulfilled by mopeds in order to be admitted to international traffic shall be those laid down for motorcycles in Annex 5 to this Convention.



## Chapter VI

### FINAL PROVISIONS

#### ARTICLE 45

1. This Convention shall be open at United Nations Headquarters, New York, until 31 December 1969 for signature by all States Members of the United Nations or of any of the specialized agencies or of the International Atomic Energy Agency or Parties to the Statute of the International Court of Justice, and by any other State invited by the General Assembly of the United Nations to become a Party to the Convention.
2. This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.
3. This Convention shall remain open for accession by any of the States referred to in paragraph 1 of this Article. The instruments of accession shall be deposited with the Secretary-General.
4. On signing this Convention or on depositing its instrument of ratification or accession, each State shall notify the Secretary-General of the distinguishing sign it has selected for display in international traffic on vehicles registered by it, in accordance with Annex 3 to this Convention. By a further notification addressed to the Secretary-General, any State may change a distinguishing sign it has previously selected.

#### ARTICLE 46

1. Any State may, at the time of signing or ratifying this Convention, or of acceding thereto, or at any time thereafter, declare by notification addressed to the Secretary-General that the Convention shall become applicable to all or any of the territories for the international relations of which it is responsible. The Convention shall become applicable to the territory or territories named in the notification thirty days after the receipt of the notification by the Secretary-General or on the date of entry into force of the Convention for the State making the notification, whichever is the later.
2. Any State which has made a declaration under paragraph 1 of this Article may at any time thereafter declare by notification addressed to the Secretary-General that the Convention shall cease to be applicable to the territory named in the notification and the Convention shall cease to be applicable to such territory one year from the date of receipt by the Secretary-General of the notification.
3. A State making a notification under paragraph 1 of this Article shall notify the Secretary-General of the distinguishing sign or signs it has selected for display in international traffic on vehicles registered in the territory or territories concerned, in accordance with Annex 3 to this Convention. By a further notification addressed to the Secretary-General, any State may change a distinguishing sign it has previously selected.

#### ARTICLE 47

1. This Convention shall enter into force twelve months after the date of deposit of the fifteenth instrument of ratification or accession.
2. For each State ratifying or acceding to this Convention after the deposit of the fifteenth instrument of ratification or accession, the Convention shall enter into force twelve months after the date of deposit by such State of its instrument of ratification or accession.

#### ARTICLE 48

Upon its entry into force, this Convention shall terminate and replace, in relations between the Contracting Parties, the International Convention relative to Motor Traffic and the International Convention relative to Road Traffic, both signed at Paris on 24 April 1926, the Convention on the Regulation of Inter-American Automotive Traffic, opened for signature at Washington on 15 December 1943, and the Convention on Road Traffic, opened for signature at Geneva on 19 September 1949.

#### ARTICLE 49

1. After this Convention has been in force for one year, any Contracting Party may propose one or more amendments to the Convention. The text of any proposed amendment, accompanied by an explanatory memorandum, shall be transmitted to the Secretary-General, who shall communicate it to all Contracting Parties. The Contracting Parties shall have the opportunity of informing him within a period of twelve months following the date of its circulation whether they (a) accept the amendment; or (b) reject the amendment; or (c) wish that a conference be convened to consider the amendment. The Secretary-General shall also transmit the text of the proposed amendment to all other States referred to in Article 45, paragraph 1 of this Convention.

2. (a) Any proposed amendment communicated in accordance with the preceding paragraph shall be deemed to be accepted if within the period of twelve months referred to in the preceding paragraph less than one third of the Contracting Parties inform the Secretary-General that they either reject the amendment or wish that a conference be convened to consider it. The Secretary-General shall notify all Contracting Parties of each acceptance or rejection of any proposed amendment and of requests that a conference be convened. If the total number of such rejections and requests received during the specified period of twelve months is less than one third of the total number of Contracting Parties, the Secretary-General shall notify all Contracting Parties that the amendment will enter into force six months after the expiry of the period of twelve months referred to in the preceding paragraph for all Contracting Parties except those which, during the period specified, have rejected the amendment or requested the convening of a conference to consider it.

(b) Any Contracting Party which, during the said period of twelve months, has rejected a proposed amendment or requested the convening of a conference to consider it may at any time after the end of such period notify the Secretary-General that it accepts the amendment, and the Secretary-General shall communicate such notification to all the other Contracting Parties. The amendment shall enter into force, with respect to the Contracting Parties which have notified their acceptance, six months after receipt by the Secretary-General of their notification.

3. If a proposed amendment has not been accepted in accordance with paragraph 2 of this Article and if within the period of twelve months specified in paragraph 1 of this Article less than half of the total number of the Contracting Parties inform the Secretary-General that they reject the proposed amendment and if at least one third of the total number of Contracting Parties, but not less than ten, inform him that they accept it or wish a conference to be convened to consider it, the Secretary-General shall convene a conference for the purpose of considering the proposed amendment or any other proposal which may be submitted to him in accordance with paragraph 4 of this Article.

4. If a conference is convened in accordance with paragraph 3 of this Article, the Secretary-General shall invite to it all States referred to in Article 45, paragraph 1 of this Convention. He shall request all States invited to the conference to submit to him, at least six months before its opening date, any proposals which they may wish the conference to consider in addition to the proposed amendment and shall communicate such proposals, at least three months before the opening date of the conference, to all States invited to the conference.

5. (a) Any amendment to this Convention shall be deemed to be accepted if it has been adopted by a two thirds majority of the States represented at the conference, provided that such majority comprises at least two thirds of Contracting Parties represented at the conference. The Secretary-General shall notify all Contracting Parties of the adoption of the amendment, and the amendment shall enter into force twelve months after the date of his notification for all Contracting Parties except those which during that period have notified the Secretary-General that they reject the amendment.

(b) A Contracting Party which has rejected an amendment during the said period of twelve months may at any time notify the Secretary-General that it accepts the amendment, and the Secretary-General shall communicate such notification to all the other Contracting Parties. The amendment shall enter into force, with respect to the Contracting Party which has notified its acceptance, six months after receipt by the Secretary-General of the notification or at the end of the said period of twelve months, whichever is later.

6. If the proposed amendment is not deemed to be accepted pursuant to paragraph 2 of this Article and if the conditions prescribed by paragraph 3 of this Article for convening a conference are not fulfilled, the proposed amendment shall be deemed to be rejected.

#### ARTICLE 50

Any Contracting Party may denounce this Convention by written notification addressed to the Secretary-General. The denunciation shall take effect one year after the date of receipt by the Secretary-General of such notification.

#### ARTICLE 51

This Convention shall cease to be in force if the number of Contracting Parties is less than five for any period of 12 consecutive months.

#### ARTICLE 52

Any dispute between two or more Contracting Parties which relates to the interpretation or application of this Convention and which the Parties are unable to settle by negotiation or other means of settlement may be referred, at the request of any of the Contracting Parties concerned, to the International Court of Justice for decision.

#### ARTICLE 53

Nothing in this Convention shall be construed as preventing a Contracting Party from taking such action, compatible with the provisions of the Charter of the United Nations and limited to the exigencies of the situation, as it considers necessary to its external or internal security.

#### ARTICLE 54

1. Any State may, at the time of signing this Convention or of depositing its instrument of ratification or accession, declare that it does not consider itself bound by Article 52 of this Convention. Other Contracting Parties shall not be bound by Article 52 with respect to any Contracting Party which has made such a declaration.

2. At the time of depositing its instrument of ratification or accession, any State may, by notification addressed to the Secretary-General, declare that for the purposes of the application of the Convention it treats mopeds as motorcycles (Article 1 (n)).

By notification addressed to the Secretary-General, any State may subsequently at any time withdraw its declaration.

3. The declarations provided for in paragraph 2 of this Article shall become effective six months after the date of receipt by the Secretary-General of notification of them or on the date on which the Convention enters into force for the State making the declaration, whichever is the later.

4. Any modification of a previously selected distinguishing sign notified in conformity with Article 45, paragraph 4, or Article 46, paragraph 3 of this Convention, shall take effect three months after the date on which the Secretary-General receives notification thereof.

5. Reservations to this Convention and its annexes, other than the reservation provided for in paragraph 1 of this Article, shall be permitted on condition that they are formulated in writing and, if formulated before the deposit of the instrument of ratification or accession, are confirmed in that instrument. The Secretary-General shall communicate such reservations to all States referred to in Article 45, paragraph 1, of this Convention.

6. Any Contracting Party which has formulated a reservation or made a declaration under paragraphs 1 or 4 of this Article may withdraw it at any time by notification addressed to the Secretary-General.

7 A reservation made in accordance with paragraph 5 of this Article:

(a) Modifies for the Contracting Party which made the reservation the provisions of the Convention to which the reservation relates, to the extent of the reservation;

(b) Modifies those provisions to the same extent for the other Contracting Parties in their relations with the Contracting Party which entered the reservation.

#### ARTICLE 55

In addition to the declarations, notifications and communications provided for in Articles 49 and 54 of this Convention, the Secretary-General shall notify all the States referred to in Article 45, paragraph 1, of the following:

(a) Signatures, ratifications and accessions under Article 45;

(b) Notifications and declarations under Article 45, paragraph 4, and Article 46;

(c) The dates of entry into force of this Convention in accordance with Article 47;

(d) The date of entry into force of amendments to this Convention in accordance with Article 49, paragraphs 2 and 5;

(e) Denunciations under Article 50;

(f) The determination of this Convention under Article 51.

#### ARTICLE 56

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts done in a single copy are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified true copies thereof to all the States referred to in Article 45, paragraph 1, of this Convention.

IN WITNESS WHEREOF the undersigned Plenipotentiaries,\* being duly authorized by their respective Governments, have signed this Convention.

DONE at Vienna this eighth day of November, one thousand nine hundred and sixty-eight.

\* See document E/CONF.56/16/Rev.1.

## **ANNEXES**

## Annex 1

### EXCEPTIONS TO THE OBLIGATION TO ADMIT MOTOR VEHICLES AND TRAILERS IN INTERNATIONAL TRAFFIC

1. Contracting Parties may refuse to admit to their territories in international traffic motor vehicles, trailers or combinations of vehicles whose overall mass or mass per axle or dimensions exceed the limits fixed by their domestic legislations for vehicles registered in their territories. Contracting Parties in whose territories there is international heavy vehicle traffic shall endeavour to conclude regional agreements under which roads in the region, with the exception of minor roads, will be open, in international traffic, to vehicles or combinations of vehicles whose mass and dimensions do not exceed the figures specified in these agreements.
2. For the purposes of paragraph 1 of this Annex, the lateral projection of the following shall not be regarded as projection beyond the permissible maximum width:
  - (a) Tyres, near their point of contact with the ground and connections of tyre-pressure indicators;
  - (b) Anti-skid devices mounted on the wheels;
  - (c) Driving mirrors so designed as to yield both forwards and backwards under moderate pressure so that they no longer project beyond the permissible maximum width;
  - (d) Side direction-indicators and marker lights, provided that such projection does not exceed a few centimetres;
  - (e) Customs seals affixed to the load, and devices for the securing and protection of such seals.
3. Contracting Parties may refuse to admit to their territories in international traffic the following combinations of vehicles insofar as the use of such combinations is prohibited by their domestic legislations:
  - (a) Motorcycles with trailers;
  - (b) Combinations of vehicles consisting of a motor vehicle and several trailers;
  - (c) Articulated vehicles used for passenger transport.
4. Contracting Parties may refuse to admit to their territories in international traffic the motor vehicles and trailers to which the exceptions specified in paragraph 60 of Annex 5 to this Convention are applicable.
5. Contracting Parties may refuse to admit to their territories in international traffic mopeds and motorcycles whose drivers and passengers, if any, are not equipped with protective helmets.
6. Contracting Parties may make it a condition for the admission to their territories in international traffic of any motor vehicle other than a two-wheeled moped or a two-wheeled motorcycle without side-car, that the motor vehicle shall carry a device referred to in paragraph 56 of Annex 5 to this Convention, to give warning of the danger constituted by the vehicle's presence when it is stationary on the carriageway.
7. Contracting Parties may make it a condition for the admission to certain difficult roads or to certain areas of difficult terrain in their territories in international traffic of motor vehicles with a permissible maximum mass exceeding 3,500 kg, that such vehicles shall comply with the special

requirements laid down in their domestic legislations concerning the admission to such roads or areas of vehicles of the same permissible maximum mass registered by them.

8. Contracting Parties may refuse to admit to their territories in international traffic any motor vehicle equipped with passing lamps with asymmetric beams if such beams have not been adapted to suit the direction of traffic in their territories.

9. Contracting Parties may refuse to admit to their territories in international traffic any motor vehicle, or any trailer coupled to a motor vehicle, which displays a distinguishing sign other than one of those prescribed in Article 37 of this Convention. Contracting Parties may not refuse admission to a vehicle which has a distinguishing sign placed separately from the registration plate in conformity with the provisions of this Convention substituting a distinguishing sign which is incorporated into the registration plate and which is not in conformity with the provisions of this Convention.



## Annex 2

### REGISTRATION NUMBER AND PLATE OF MOTOR VEHICLES AND TRAILERS IN INTERNATIONAL TRAFFIC

1. The registration number referred to in Articles 35 and 36 of this Convention shall be composed either of numerals or of letters or of numerals and letters. The numerals shall be Arabic numerals and the letters shall be in capital Latin characters. Other numerals or characters may, however, be used, but if so the registration number shall be repeated in Arabic numerals and in capital Latin characters.

2. The registration number shall be so composed and displayed as to be legible in normal daylight at a distance of at least 40 m by an observer placed on the axis of the vehicle, the vehicle being stationary; Contracting Parties may, however, in respect of the vehicles they register, reduce this minimum legibility distance for motorcycles and for special categories of motor vehicle on which it would be difficult to fit registration numbers of sufficient size to be legible at 40 m.

3. When the registration number is displayed on a plate, this plate shall be flat and fixed in a vertical or nearly vertical position and at right angles to the vehicle's median longitudinal plane.

When the number is displayed or painted on the vehicle, the surface on which it is displayed or painted shall be flat and vertical, or nearly flat and vertical, and at right angles to the vehicle's median longitudinal plane.

4. Without prejudice to the provisions of Annex 5, paragraph 61 (g) of this Convention, the background of the registration plate on which the registration number and, where applicable, the distinguishing sign of the State in which the vehicle is registered, possibly completed by the flag or emblem according to the conditions defined in Annex 3, is displayed, may be of a retro-reflective material.

5. The background of the part of the registration plate on which the distinguishing sign is incorporated shall be of the same material as that used for the background of the part on which the registration number is marked.

### Annex 3

#### DISTINGUISHING SIGN OF MOTOR VEHICLES AND TRAILERS IN INTERNATIONAL TRAFFIC

1. The distinguishing sign referred to in Article 37 of this Convention shall consist of one to three letters in capital Latin characters.
2. When the distinguishing sign is displayed separately from the registration plate, it must conform to the following conditions:
  - (a) The letters shall have a height of at least 0.08 m and their strokes a width of at least 0.01 m. The letters shall be in black on a white background having the shape of an ellipse with the major axis horizontal. The white background may be of a retro-reflective material;
  - (b) When the distinguishing sign consists of only one letter, the major axis of the ellipse may be vertical;
  - (c) The distinguishing sign shall not be affixed in such a way that it could be confused with the registration number or impair its legibility;
  - (d) On motorcycles and their trailers, the dimensions of the axes of the ellipse shall be at least 0.175 m and 0.115 m. On other motor vehicles and their trailers, the dimensions of the axes of the ellipse shall be at least:
    - (i) 0.24 m and 0.145 m if the distinguishing sign comprises three letters;
    - (ii) 0.175 m and 0.115 m if the distinguishing sign comprises less than three letters.
3. When the distinguishing sign is incorporated into the registration plate(s), the following conditions shall apply:
  - (a) The letters shall have a height of at least 0.02 m, taking as a reference a registration plate of 0.11 m.;
  - (b)
    - (i) The distinguishing sign of the State of registration, which may be supplemented where applicable by the flag or emblem of the State or the emblem of the regional economic integration organization to which the country belongs, shall be displayed on the far left or right of the rear registration plate, but preferably on the left or the far upper left on plates where the number takes up two lines;
    - (ii) When, in addition to the distinguishing sign, a non-numerical symbol and/or a flag and/or a regional or local emblem is displayed on the registration plate, the distinguishing sign of the State of registration shall obligatorily be placed on the far left of the plate;
  - (c) The flag or emblem supplementing where applicable the distinguishing sign of the State of registration shall be positioned so that it cannot impair the legibility of the distinguishing sign and shall preferably be placed above it;
  - (d) The distinguishing sign of the State of registration shall be positioned so as to be easily identifiable and so that it cannot be confused with the registration number or impair its legibility. The distinguishing sign shall therefore be at least of a different colour from the

registration number, or have a different background colour to that reserved for the registration number, or be clearly separated, preferably by a line, from the registration number;

(e) For the registration plates of motorcycles and their trailers and/or for registration plates taking up two lines, the size of the letters of the distinguishing sign as well as, where applicable, the size of the national flag or emblem of the State of registration or the symbol of the regional economic integration organization which the country belongs to may be appropriately modified;

(f) The provisions of this paragraph shall apply according to the same principles to the front registration plate of the vehicle when this plate is obligatory.

4. The relevant provisions of Annex 2, paragraph 3, shall apply to the distinguishing sign.

#### **Annex 4**

##### **IDENTIFICATION MARKS OF MOTOR VEHICLES AND TRAILERS IN INTERNATIONAL TRAFFIC**

1. The identification marks shall comprise:
  - (a) In the case of a motor vehicle:
    - (i) The name or the trade mark of the maker of the vehicle;
    - (ii) On the chassis or, in the absence of a chassis, on the body, the maker's production or serial number;
    - (iii) On the engine, the engine number if such a number is placed on it by the maker;
  - (b) In the case of a trailer, the information referred to in subparagraphs (i) and (ii) above;
  - (c) In the case of a moped, the cylinder capacity and the mark "CM".
2. The marks mentioned in paragraph 1 of this Annex shall be placed in accessible positions and shall be easily legible; in addition, they shall be such that they cannot be easily altered or removed. The letters and figures included in the marks shall be either in Latin characters or in English cursive script and in Arabic numerals only, or be repeated in that form.

## Annex 5

### TECHNICAL CONDITIONS CONCERNING MOTOR VEHICLES AND TRAILERS

1. Without prejudice to the provisions of Article 3, paragraph 2 (a) and Article 39, paragraph 1 of this Convention any Contracting Party may, with respect to motor vehicles which it registers and to trailers which it allows on the road under its domestic legislation, lay down rules which supplement, or are stricter than, the provisions of this Annex. All vehicles in international traffic must meet the technical requirements in force in their country of registration when they first entered into service.
2. For the purposes of this Annex, the term “trailer” applies only to a trailer designed to be coupled to a motor vehicle.
3. Contracting Parties which, in conformity with Article 1, subparagraph (n), of this Convention, have declared that they wish to treat as motorcycles three-wheeled vehicles the unladen mass of which does not exceed 400 kg, shall make such vehicles subject to the rules laid down in this Annex either for motorcycles or for other motor vehicles.

### CHAPTER I

#### Braking

1. For the purposes of this chapter:
  - (a) The term “wheels of one axle” means wheels which are arranged symmetrically, or largely symmetrically, in relation to the vehicle’s median longitudinal plane, even if they are not placed on the same axle (a tandem axle is counted as two axles);
  - (b) The term “service brake” means the device normally used to slow down and stop the vehicle;
  - (c) The term “parking brake” means the device used to hold the vehicle stationary in the driver’s absence, or, in the case of trailers, when the trailer is uncoupled;
  - (d) The term “secondary (emergency) brake” means the device designed to slow down and stop the vehicle in the event of failure of the service brake.

#### A. Braking of motor vehicles other than motorcycles

5. Every motor vehicle other than a motorcycle shall have brakes which can be easily operated by the driver when in his driving position. These brakes shall be capable of performing the following three braking functions:
  - (a) A service brake capable of slowing down the vehicle and of stopping it safely, rapidly and effectively, whatever its conditions of loading and whatever the upward or downward gradient of the road on which it is moving;
  - (b) A parking brake capable of holding the vehicle stationary, whatever its conditions of loading, on a noticeable upward or downward gradient, the operative surfaces of the brake being held in the braking position by a device whose action is purely mechanical;
  - (c) A secondary (emergency) brake capable of slowing down and stopping the vehicle, whatever its conditions of loading, within a reasonable distance, even in the event of failure of the service brake.

6. Subject to the provisions of paragraph 5 of this Annex, the devices providing the three braking functions (service brake, secondary brake and parking brake) may have parts in common; combination of the controls shall be permitted only on condition that at least two separate controls remain.

7. The service brake shall act on all the wheels of the vehicle.

8. The secondary (emergency) brake shall be capable of acting on at least one wheel on each side of the vehicle's median longitudinal plane; the same provision shall apply to the parking brake.

9. The service brake and the parking brake shall act on braking surfaces permanently connected to the wheels through components of adequate strength.

10. No braking surface shall be capable of being disconnected from the wheels. Nevertheless, such disconnection shall be permitted in the case of some of the braking surfaces, on condition:

(a) That it is only momentary, as for example, during a change of gear;

(b) That so far as concerns the parking brake, it can be effected only by the action of the driver; and

(c) That so far as concerns the service or secondary (emergency) brake, braking remains possible with the efficiency prescribed in paragraph 5 of this Annex.

10 bis. All vehicle equipment contributing to braking shall be so designed and constructed that the efficacy of the service brake is ensured after prolonged and repeated use.

10 ter. The service braking action shall be properly distributed and synchronized among the various axles of the vehicle.

10 quater. If the control of the service brake is assisted, partially or totally, by an energy source other than the muscular energy of the driver, it shall be possible to stop the vehicle within a reasonable distance even in the event of the failure of the energy source.

#### B. Braking of trailers

11. Without prejudice to the provisions of paragraph 17 (c) of this Annex, every trailer, with the exception of a light trailer, shall have brakes as follows:

(a) A service brake capable of slowing down the vehicle and of stopping it safely, rapidly and effectively, whatever its conditions of loading and whatever the upward or downward gradient of the road on which it is moving;

(b) A parking brake capable of holding the vehicle stationary, whatever its conditions of loading, on a noticeable upward or downward gradient, the operative surfaces of the brake being held in the braking position by a device whose action is purely mechanical. This provision shall not apply to trailers which cannot be uncoupled from the drawing vehicle without the use of tools, provided that the requirements for parking brakes are satisfied for the combination of vehicles.

12. The devices providing the two braking functions (service and parking) may have parts in common.

13. The service brake shall act on all the wheels of the trailer. The braking action shall be properly distributed and synchronized among the various axles of the trailer.

14. The service brake shall be capable of being brought into action by the service brake control of the drawing vehicle; if, however, the permissible maximum mass of the trailer does not exceed 3,500 kg, the brakes may be such as to be brought into action, while the trailer is in motion, only by the trailer moving up on the drawing vehicle (overrun braking).

15. The service brake and the parking brake shall act on braking surfaces permanently connected to the wheels through components of adequate strength.

16. The braking devices shall be such that the trailer is stopped automatically if the coupling device breaks while the trailer is in motion. This requirement shall not apply, however, to trailers with only one axle or with two axles less than 1 m apart, provided that their permissible maximum mass does not exceed 1,500 kg and, except for semi-trailers, that they are fitted, in addition to the coupling device, with a secondary attachment.

C. Braking of combinations of vehicles

17. In addition to the provisions of parts A and B of this Chapter relating to separate vehicles (motor vehicles and trailers), the following provisions shall apply to combinations of such vehicles:

(a) The braking devices on each of the component vehicles shall be compatible;

(b) The service braking action shall be properly distributed and synchronized between the various axles of the combination;

(c) The permissible maximum mass of a trailer without a service brake shall not exceed half of the sum of the unladen mass of the drawing vehicle and the mass of the driver.

D. Braking of motorcycles

18. (a) Every motorcycle shall be equipped with two brakes, one of which acts at least on the rear wheel or wheels and the other at least on the front wheel or wheels; if a side-car is attached to a motorcycle, braking of the side-car wheel shall not be required. These braking devices shall be capable of slowing down the motorcycle and of stopping it safely, rapidly and effectively, whatever its conditions of loading and whatever the upward or downward gradient of the road on which it is moving;

(b) In addition to the provisions of subparagraph (a) of this paragraph, motorcycles having three wheels symmetrically arranged in relation to the vehicle's median longitudinal plane shall be equipped with a parking brake that fulfils the conditions stated in paragraph 5 (b) of this Annex.

## CHAPTER II

### Vehicle lighting and light-signalling devices

19. For the purposes of this chapter, the term:

“Driving lamp” means the lamp used to illuminate the road over a long distance ahead of the vehicle;

“Passing lamp” means the lamp used to illuminate the road ahead of the vehicle without causing undue dazzle or inconvenience to oncoming drivers and other road-users;

“Front position lamp” means the lamp used to indicate the presence and the width of the vehicle when viewed from the front;

“Rear position lamp” means the lamp used to indicate the presence and the width of the vehicle when viewed from the rear;

“Stop lamp” means the lamp used to indicate to other road-users to the rear of the vehicle that the driver is applying the service brake;

“Front fog lamp” means the lamp used to improve the illumination of the road in case of thick fog, falling snow, heavy rain or similar conditions;

“Rear fog lamp” means the lamp used to make the vehicle more visible from the rear in case of thick fog, falling snow, heavy rain or similar conditions;

“Reversing lamp” means the lamp used to illuminate the road to the rear of the vehicle and provide a warning signal to other road-users that the vehicle is reversing or about to reverse;

“Direction-indicator lamp” means the lamp used to indicate to other road-users that the driver intends to change direction to the right or to the left;

“Parking lamp” means the lamp used to indicate the presence of a parked vehicle; it may replace the front and rear position lamps;

“Marker lamp” means the lamp positioned near the outer edge of the overall width and as near as possible to the top of the vehicle for the purpose of clearly indicating the overall width. This signal complements the position lamps for some motor vehicles and trailers by drawing particular attention to their size;

“Hazard warning signal” means the signal given by the simultaneous functioning of all the direction-indicator lamps;

“Side lamp” means the lamp installed on the side of the vehicle so as to indicate its presence when viewed from the side;

“Special warning lamp” means the lamp intended to indicate either priority vehicles or a vehicle or a group of vehicles whose presence on the road requires other road-users to take special precautions, in particular, convoys of vehicles, vehicles of exceptional size and road construction or maintenance vehicles or equipment;

“Rear registration plate illuminating device” means the device ensuring the illumination of the rear registration plate; it may be made up of several optical elements;

“Daytime (running) lamp” means a lamp intended to improve the daytime conspicuity and visibility of the front of a vehicle in running use;

“Reflex-reflector” means a device used to indicate the presence of a vehicle by reflection of light emanating from a light source unconnected with that vehicle;

“Illuminating surface” means the orthogonal projection, in a transverse vertical plane, of the effective surface from which the light is emitted. For a reflex-reflector, the effective surface is the visible surface of the reflex-reflecting optical unit.

20. The colours of lights mentioned in this chapter should, as far as possible, be in accordance with the definitions given in the appendix to this Annex.



21. With the exception of motorcycles, every motor vehicle capable of exceeding 40 km (25 miles) per hour on level road shall be equipped in front with an even number of white or selective-yellow driving lamps capable of adequately illuminating the road at night in clear weather. The outer edges of the illuminating surfaces of the driving lamps shall in no case be closer to the extreme outer edge of the vehicle than the outer edges of the illuminating surfaces of the passing lamps.

22. With the exception of motorcycles, every motor vehicle capable of exceeding 10 km (6 miles) per hour on level road shall be equipped in front with an even number of white or selective-yellow passing lamps capable of adequately illuminating the road at night in clear weather. A motor vehicle shall be equipped with a device such that no more than two passing lamps may be lit simultaneously. Passing lamps shall be so adjusted as to comply with the definition in paragraph of this Annex.

23. Every motor vehicle other than a two-wheeled motorcycle without side-car shall be equipped in front with two white front position lamps; however, selective yellow shall be permitted for front position lamps incorporated in driving lamps or passing lamps which emit a selective-yellow beam. These front position lamps, when they are the only lamps switched on at the front of the vehicle, shall be visible at night in clear weather without causing undue dazzle or inconvenience to other road-users.

24. (a) Every motor vehicle other than a two-wheeled motorcycle without side-car shall be equipped at the rear with an even number of red rear position lamps visible at night in clear weather without causing undue dazzle or inconvenience to other road-users;

(b) Every trailer shall be equipped at the rear with an even number of red rear position lamps visible at night in clear weather without causing undue dazzle or inconvenience to other road-users. It shall, however, be permissible for a trailer whose overall width does not exceed 0.80 m to be equipped with only one such lamp if the trailer is coupled to a two-wheeled motorcycle without side-car.

25. Every motor vehicle or trailer displaying a registration number at the rear shall be equipped with a lighting device such that the number is legible at night in clear weather.

26. The electrical connections on all motor vehicles (including motorcycles) and on all combinations consisting of a motor vehicle and one or more trailers shall be such that the driving lamps, passing lamps, front fog lamps and front position lamps of the motor vehicle and the lighting device referred to in paragraph 25 above cannot be switched on unless the rearmost rear position lamps of the motor vehicle or combination of vehicles are switched on as well.

Rear fog lamps shall be able to be switched on only if the driving lamps, the passing lamps or the front fog lamps are switched on.

However, this provision shall not apply to driving lamps or passing lamps when they are used to give the luminous warning referred to in Article 32, paragraph 3, of this Convention. In addition, the electrical connections shall be such that the front position lamps of the motor vehicle are always switched on when the passing lamps, driving lamps or fog lamps are on.

27. Every motor vehicle other than two-wheeled motorcycles without side-car shall be equipped at the rear with at least two red reflex-reflectors of other than triangular form. When illuminated by the driving, passing or fog lamps of another vehicle, the reflex-reflectors shall be visible to the driver of that vehicle at night in clear weather.

28. Every trailer shall be equipped at the rear with at least two red reflex-reflectors. These reflex-reflectors shall have the shape of an equilateral triangle with one vertex uppermost and one side horizontal. No signal lamp shall be placed inside the triangle. These reflex-reflectors shall

meet the requirements for visibility laid down in paragraph 27 above. However, trailers with an overall width not exceeding 0.80 m may be equipped with only one reflex-reflector if they are coupled to a two-wheeled motorcycle without side-car.

29. Every trailer shall be equipped at the front with two white reflex-reflectors of other than triangular form. These reflex-reflectors shall meet the visibility requirements laid down in paragraph 27 above.

30. A trailer shall be equipped at the front with two white front position lamps if its width exceeds 1.60 m. The front position lamps thus prescribed shall be fitted as near as possible to the extreme outer edge of the trailer.

31. With the exception of two-wheeled motorcycles with or without side-car, every motor vehicle capable of exceeding 25 km (15 miles) per hour on a level road shall be equipped at the rear with at least two red stop lamps, the luminous intensity of which is markedly higher than that of the rear position lamps. The same provision shall apply to every trailer which is the last vehicle in a combination of vehicles.

32. Subject to the possibility that exemption from all or some of these obligations may be granted in respect of mopeds by Contracting Parties which, in conformity with Article 54, paragraph 2, of the Convention, have declared that they treat mopeds as motorcycles:

(a) Every two-wheeled motorcycle with or without side-car shall be equipped with one or two passing lamps satisfying the conditions regarding colour and visibility laid down in paragraph above;

(b) Every two-wheeled motorcycle with or without side-car capable of exceeding 40 km (25 miles) per hour on a level road shall be equipped, in addition to the passing lamp, with at least one driving lamp satisfying the conditions regarding colour and visibility laid down in paragraph above. If such a motorcycle has more than one driving lamp, these lamps shall be situated as close together as possible.

33. Every two-wheeled motorcycle without side-car may be equipped at the front with one or two front position (side) lamps satisfying the conditions regarding colour and visibility laid down in paragraph 23 above. If such a motorcycle has two front position (side) lamps, these lamps shall be situated as close together as possible.

34. Every two-wheeled motorcycle without side-car shall be equipped at the rear with one rear position side lamp satisfying the conditions regarding colour and visibility laid down in paragraph 24 (a) above.

35. Every two-wheeled motorcycle without side-car shall be equipped at the rear with a non-triangular reflex-reflector satisfying the conditions regarding colour and visibility laid down in paragraph 27 above.

36. Subject to the possibility for Contracting Parties which, in conformity with Article 54, paragraph 2, have declared that they treat mopeds as motorcycles, to exempt two-wheeled mopeds with or without side-cars from this obligation, every two-wheeled motorcycle with or without side-car shall be equipped with a stop lamp conforming to the provisions of paragraph 31 above.

37. Without prejudice to the provisions concerning lamps and devices prescribed for two-wheeled motorcycles without side-car, any side-car attached to a two-wheeled motorcycle shall be equipped at the front with a front position (side) lamp satisfying the conditions regarding colour and visibility laid down in paragraph 23 above, and at the rear with a rear position (side) lamp satisfying the conditions regarding colour and visibility laid down in paragraph 24 (a) above and

with a reflex-reflector satisfying the conditions regarding colour and visibility laid down in paragraph 27 above. The electrical connections shall be such that the front position (side) lamp and rear position (side) lamp of the side-car are switched on at the same time as the rear position (side) lamp of the motorcycle.

38. Motor vehicles with three wheels placed symmetrically in relation to the vehicle's median longitudinal plane, which are treated as motorcycles pursuant to Article 1, subparagraph (n), of the Convention, shall be equipped with the devices prescribed in paragraphs 21, 22, 23, 24 (a), 27 and above. However, on an electric vehicle the width of which does not exceed 1.30 m and the speed of which does not exceed 40 km (25 miles) per hour a single driving lamp and a single passing lamp are sufficient.

39. Every motor vehicle, except a moped, and every trailer shall be equipped with fixed direction-indicators with flashing amber lights, fitted on the vehicle in even numbers and visible by day and by night to road-users affected by the vehicle's movements.

40. If front fog lamps are fitted on a motor vehicle they shall emit white or selective-yellow light, be two or, in the case of a motorcycle, one in number and be placed in such a way that no point on their illuminating surface is above the highest point on the illuminating surface of the passing lamps.

41. No reversing lamp shall cause undue dazzle or inconvenience to other road-users. If reversing lamps are fitted on a motor vehicle they shall emit white or selective-yellow light. These lamps shall be lit only when the reverse gear is engaged.

42. No lamps, other than direction-indicator lamps and special warning lamps, shall emit a winking or flashing light. Side lamps may wink at the same time as direction-indicator lamps.

42 bis. Special warning lamps shall emit a winking or flashing light. Colours of these lights should conform to the provisions of Article 32, paragraph 14.

42 ter. Every motor vehicle except motorcycles and every trailer shall be so equipped that they can emit a hazard warning signal.

42 quater. If rear fog lamps are fitted on a motor vehicle or a trailer they shall be red.

42 quinquies. Every motor vehicle and every trailer more than 6 m long shall be fitted with amber side reflex-reflectors.

42 sexties. Every motor vehicle and trailer more than 1.80 m wide may be fitted with marker lamps. Such lamps shall be mandatory if the width of a motor vehicle or trailer exceeds 2.10 m. If these lamps are used, there shall be at least two of them and they shall emit white or amber light towards the front and red light towards the rear.

42 septies. Every motor vehicle and trailer may be fitted with side lamps. If such lamps are fitted they shall emit amber light.

43. For the purposes of the provisions of this Annex:

(a) Any combination of two or more lamps, whether identical or not, but having the same function and the same colour of light, shall be deemed to be a single lamp;

(b) A single illuminating surface in the shape of a band shall be deemed to be two or an even number of lamps if it is placed symmetrically to the median longitudinal plane of the vehicle.

The illumination of such a surface shall be provided by at least two light sources placed as close as possible to its ends.

44. Lamps on a given vehicle having the same function and facing in the same direction, shall be of the same colour. Lamps and reflex-reflectors which are of even number shall be placed symmetrically in relation to the vehicle's median longitudinal plane, except on vehicles with an asymmetrical external shape. The intensity of the lamps in each pair shall be substantially the same.

45. Lamps of different kinds, and, subject to the provisions of other paragraphs of this Chapter, lamps and reflex-reflectors, may be grouped or incorporated in the same device, provided that each of these lamps and reflectors complies with the applicable provisions of this Annex.

### CHAPTER III

#### Other requirements

##### Steering mechanism

46. Every motor vehicle shall be equipped with a strong steering mechanism which will allow the driver to change the direction of the vehicle, easily, quickly and surely.

##### Driving (rear-view) mirror

47. Every motor vehicle shall be equipped with one or more driving (rear-view) mirrors; the number, dimensions and arrangement of these mirrors shall be such as to enable the driver to see the traffic to the rear of his vehicle.

##### Audible warning device

48. Every motor vehicle shall be equipped with at least one audible warning device of sufficient power. The sound emitted by the warning device shall be continuous and uniform, but not strident. Priority vehicles and public passenger-transport vehicles may have additional audible warning devices which are not subject to these requirements.

##### Windscreen-wiper

49. Every motor vehicle having a windscreen of such dimensions and shape that the driver cannot normally see the road ahead from his driving position except through the transparent part of the windscreen, shall be equipped with at least one efficient and strongly built windscreen-wiper in an appropriate position, the functioning of which does not require constant action by the driver.

##### Windscreen-washer

50. Every motor vehicle required to be equipped with at least one windscreen-wiper shall also be equipped with a windscreen-washer.

##### Windscreen and windows

51. On all motor vehicles and on all trailers:

(a) Transparent substances forming part of the vehicle's bodywork, including the windscreen and any interior partition, shall be such that in case of breakage, the risk of physical injury will be minimized;

(b) The transparent parts of the windscreen shall be made of a substance whose transparency does not deteriorate; they shall be such that they do not cause any appreciable

distortion of objects seen through the windscreen, and that, in case of breakage, the driver still has a sufficiently clear view of the road.

#### Reversing device

52. Every motor vehicle shall be equipped with a reversing device controlled from the driving position. This device shall not, however, be compulsory on motorcycles or on motor vehicles having three wheels arranged symmetrically in relation to the vehicle's median longitudinal plane unless their permissible maximum mass exceeds 400 kg.

#### Exhaust silencer

53. Every internal combustion engine used for propelling a motor vehicle shall be equipped with an efficient exhaust silencer.

#### Tyres

54. The wheels of motor vehicles and of their trailers shall be fitted with pneumatic tyres ensuring a good adhesion, even on a wet road. This provision shall not, however, prevent Contracting Parties from authorizing the use of devices producing results at least equivalent to those obtained with pneumatic tyres.

#### Speedometer

55. Every motor vehicle capable of exceeding 40 km (25 miles) per hour on a level road shall be equipped with a speedometer; Contracting Parties may, however, exempt certain categories of motorcycles and other light vehicles from this requirement.

#### Warning device to be carried on motor vehicles

56. The device referred to in Article 23, paragraph 5, of this Convention, and in paragraph 6 of Annex 1 thereto shall be either:

(a) A signplate consisting of an equilateral triangle with a red border and with its interior part either hollow or of a light colour; the red border shall be fitted with a reflectorized strip. It may also have a red fluorescent area and/or be illuminated by transparency; the signplate shall be such that it can be stood firmly in a vertical position; or

(b) Some other equally effective device, prescribed by the legislation of the country in which the vehicle is registered.

#### Anti-theft device

57. Every motor vehicle shall be fitted with an anti-theft device by means of which one of its essential components can be put out of action or blocked when the vehicle is parked.

#### Restraining devices

58. Wherever technically practicable all forward-facing seats of vehicles of category B as referred to in Annexes 6 and 7 of this Convention, with the exception of vehicles constructed or used for special purposes as defined by domestic legislation, shall be equipped with approved safety belts or similarly effective approved devices.

#### General provisions

59. (a) The mechanical parts and equipment of a motor vehicle shall not, so far as this can possibly be avoided, give rise to any danger of fire or explosion; nor shall they cause excessive emission of noxious gases, opaque fumes, smells or noise.

(b) So far as possible, the high-tension ignition device of a motor vehicle shall not cause excessive radio interference.

(c) Every motor vehicle shall be so constructed that the driver's field of vision ahead, and to both right and left, is sufficient to enable him to drive safely.

(d) Motor vehicles and trailers shall, as far as possible, be so constructed and equipped as to reduce the danger to their occupants and to other road-users in case of accident. In particular, they shall have no ornaments or other objects, inside or outside, with unnecessary projections or ridges which may be dangerous to the occupants or other road-users.

(e) Vehicles of which the maximum permitted mass exceeds 3.5 t shall be equipped, as far as possible, with side and rear-under run devices.

## CHAPTER IV

### Exemptions

60. For domestic purposes, Contracting Parties may grant exemptions from the provisions of this Annex in respect of:

(a) Motor vehicles and trailers which, by virtue of their design, cannot exceed a speed of km (19 miles) per hour on a level road of whose speed is limited by domestic legislation to 30 km per hour;

(b) Invalid carriages, i.e. small motor vehicles specially designed and constructed - and not merely adapted - for use by a person suffering from some physical defect or disability and normally used by that person only;

(c) Vehicles used for experiments whose purpose is to keep up with technical progress and improve road safety;

(d) Vehicles of a special form or type, or which are used for particular purposes under special conditions;

(e) Vehicles adapted for use by handicapped persons.

61. Contracting Parties may also grant exemptions from the provisions of this Annex in respect of vehicles which they register and which may enter international traffic:

(a) By authorizing the use of the colour amber for the front position lamps of motor vehicles and trailers;

(b) As regards the position of lamps on special-purpose vehicles whose external shape is such that the said provisions could not be observed without the use of mounting devices which could easily be damaged or torn off;

(c) As regards trailers, carrying long loads (tree trunks, pipes, etc.), which are not coupled to the drawing vehicle when in movement, but merely attached to it by the load;

(d) By authorizing the emission towards the rear of white light and towards the front of red light for the following equipment:

–Revolving of flashing lamps of priority vehicles;

–Fixed lamps for exceptional loads;

–Side lamps and reflex-reflectors;

–Professional lighted signs on the roof;

(e) By authorizing the emission of blue light towards the front and towards the rear for revolving or flashing lamps;

(f) By authorizing on any side of a vehicle of a special shape or kind or used for special purposes and in special conditions, alternating red retro-reflective or fluorescent and white retro-reflective strips;

(g) By authorizing the emission towards the rear of white or coloured light reflected by figures or letters or by the background of rear registration plates, by distinctive signs or by other distinctive marks required by domestic legislation;

(h) By authorizing the use of the colour red for rearmost lateral reflex-reflectors and side lamps.

## CHAPTER V

### Transitional provisions

61. Motor vehicles first registered and trailers put into service in the territories of a Contracting Party before the entry into force of this Convention or within the two years following such entry into force shall not be subject to the provisions of this Annex, provided that they satisfy the requirements of parts I, II and III of Annex 6 of the 1949 Convention on Road Traffic.

62 bis. Motor vehicles first registered and trailers put into service in the territory of a Contracting Party before the entry into force of the amendments to this Convention or within the two years following such entry into force should not be subject to the provisions of this Annex, provided that they satisfy the provisions of Annex 5 of the 1968 Convention on Road Traffic in the wording prior to these amendments or other provisions referred to in Chapter V of the said Annex.

## Appendix

### DEFINITION OF COLOUR FILTERS FOR OBTAINING THE COLOURS REFERRED TO IN THIS ANNEX (TRICHROMATIC COORDINATES)

Red .....	limit towards yellow .....	$y \leq 0.335$
	limit towards purple <sup>1</sup> .....	$z \leq 0.008$
White .....	limit towards blue .....	$x \geq 0.310$
	limit towards yellow .....	$x \leq 0.500$
	limit towards green .....	$y \leq 0.150 + 0.640x$
	limit towards green .....	$y \leq 0.440$
	limit towards purple .....	$y \geq 0.050 + 0.750x$
	limit towards red .....	$y \geq 0.382$
Amber <sup>2</sup> .	limit towards yellow <sup>1</sup> .....	$y \leq 0.429$

	limit towards red <sup>1</sup> .....	$y \geq 0.398$
	limit towards white <sup>1</sup> .....	$z \leq 0.007$
Selective yellow <sup>3</sup> .....	limit towards red <sub>1</sub> .....	$y \geq 0.138 + 0.580x$
	limit towards green <sup>1</sup> .....	$y \leq 1.29x - 0.100$
	limit towards white <sup>1</sup> .....	$y \geq -x + 0.966$
	limit towards spectral value <sup>1</sup> .....	$y \leq -x + 0.992$
Blue .....	limit towards green .....	$y = 0.065 + 0.805x$
	limit towards white .....	$y = 0.400 - x$
	limit towards purple .....	$x = 0.133 + 0.600y$

For verifying the colorimetric characteristics of these filters, a source of white light at a colour temperature of 2,854°K (corresponding to illuminant A of the International Commission on Illumination [CIE]) shall be used.

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<sup>1</sup> In these cases, different limits have been adopted from those recommended by the CIE, since the supply voltages at the terminals of the lamps with which the lights are fitted vary very considerably.

<sup>2</sup> Applies to the colour of motor vehicle signs hitherto commonly called “orange” or orange-yellow. Corresponds to a specific part of the “yellow” zone of the triangle of CIE colours.

<sup>3</sup> Applies only to passing and driving lights. In the particular case of fog-lights, the selectivity of the colour shall be considered satisfactory if the purity factor is not less than 0.820, the limit towards white  $y \geq -x + 0.966$ , being in that case  $y \geq -x + 0.940$  and  $y = 0.440$ .



## Annex 6

### DOMESTIC DRIVING PERMIT

1. A domestic driving permit shall take the form of a document.
2. The permit may be made of plastic or paper. The preferred format for the plastic permit shall be 54 x 86 mm in size. The preferred colour of the permit shall be pink; the print and spaces for the entries to be made shall be defined by domestic legislation subject to the provisions of paragraphs 6 and 7.
3. On the front side of the permit is the title "Driving Permit" in the domestic language (domestic languages) of the country issuing the permit, as well as the name and/or the distinguishing sign of the country which issued the permit.
4. It is compulsory to indicate in the permit the data listed under the numbers given below:
  1. Family name;
  2. Given name, other names;
  3. Date and place of birth;<sup>1</sup>
  - 4.(a) Date of issue;
  - 4.(b) Expiry date;
  - 4.(c) Name or stamp of the authority which issued the permit;
  5. Number of the permit;
  6. Photograph of the holder;
  7. Signature of the holder;
  9. Categories (subcategories) of vehicles for which the permit is valid;
  12. Additional information or limitations for each category (subcategory) of vehicles in coded form.
5. If additional information is required by domestic legislation, it shall be entered on the driving permit under the numbers given below:
  - 4.(d) Identification number for the purposes of registration, other than the number under 5 of paragraph 4;
  8. Place of normal residence;
  10. Date of issue for each category (subcategory) of vehicles;
  11. Expiry date for each category (subcategory) of vehicles;
  13. Information for purposes of registration in the case of a change in country of normal residence;
  14. Information for purposes of registration or other information related to road traffic safety.
6. All the entries on the permit shall be made only in Latin characters. If other characters are used, the entries shall also be transliterated into the Latin alphabet.
7. The information under numbers 1-7 in paragraphs 4 and 5 should preferably be on the same side of the permit. The spaces for other data under numbers 8-14 in paragraphs 4 and 5 should be

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<sup>1</sup> The place of birth may be replaced by other particulars defined by domestic legislation.

set by domestic legislation. Domestic legislation may also allocate a space on the permit for the inclusion of electronically stored information.

8. The categories of vehicles for which the driving permit may be valid are the following:

A. Motorcycles;

B. Motor vehicles, other than those in category A, having a permissible maximum mass not exceeding 3,500 kg and not more than eight seats in addition to the driver's seat; or motor vehicles of category B coupled to a trailer the permissible maximum mass of which does not exceed 750 kg; or motor vehicles of category B coupled to a trailer the permissible maximum mass of which exceeds 750 kg but does not exceed the unladen mass of the motor vehicle, where the combined permissible maximum mass of the vehicles so coupled does not exceed 3,500 kg;

C. Motor vehicles, other than those in category D, having a permissible maximum mass exceeding 3,500 kg; or motor vehicles of category C coupled to a trailer the permissible maximum mass of which does not exceed 750 kg;

D. Motor vehicles used for the carriage of passengers and having more than eight seats in addition to the driver's seat; or motor vehicles of category D coupled to a trailer the permissible maximum mass of which does not exceed 750 kg;

BE. Motor vehicles of category B coupled to a trailer the permissible maximum mass of which exceeds 750 kg and exceeds the unladen mass of the motor vehicle; or motor vehicles of category B coupled to a trailer the permissible maximum mass of which exceeds 750 kg, where the combined permissible maximum mass of the vehicles so coupled exceeds 3,500 kg;

CE. Motor vehicles of category C coupled to a trailer whose permissible maximum mass exceeds 750 kg;

DE. Motor vehicles of category D coupled to a trailer whose permissible maximum mass exceeds 750 kg.

9. Under categories A, B, C, CE, D and DE, domestic legislation may introduce the following subcategories of vehicles for which the driving permit may be valid:

A1. Motorcycles with a cubic capacity not exceeding  $125 \text{ cm}^3$  and a power not exceeding 11 kW (light motorcycles);

B1. Motor tricycles and quadricycles;

C1. Motor vehicles, with the exception of those in category D, the permissible maximum mass of which exceeds 3,500 kg but does not exceed 7,500 kg; or motor vehicles of subcategory C1 coupled to a trailer, the permissible maximum mass of which does not exceed 750 kg;














D1. Motor vehicles used for the carriage of passengers and having more than 8 seats in addition to the driver's seat but not more than 16 seats in addition to the driver's seat; or motor vehicles of subcategory D1 coupled to a trailer, the permissible maximum mass of which does not exceed 750 kg;

C1E. Motor vehicles of subcategory C1 coupled to a trailer the permissible maximum mass of which exceeds 750 kg but does not exceed the unladen mass of the motor vehicle, where the combined permissible maximum mass of the vehicles so coupled does not exceed 12,000 kg;

D1E. Motor vehicles of subcategory D1 coupled to a trailer, not used for the carriage of persons, the permissible maximum mass of which exceeds 750 kg but does not exceed the unladen mass of the motor vehicle, where the combined permissible maximum mass of the vehicles so coupled does not exceed 12,000 kg.

10. Domestic legislation may introduce categories and subcategories of vehicle other than those listed above. The designations of such categories and subcategories should not resemble the symbols used in the Convention to designate categories and subcategories of vehicles; another type of print should also be used.

11. The categories (subcategories) of vehicles for which the permit is valid shall be represented by the pictograms in the table below.

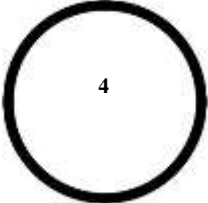
Category code/Pictogram		Subcategory code/Pictogram	
A		A1	
B		B1	
C		C1	
D		D1	
BE			
CE		C1E	
DE		D1E	

## **Annex 7**

### **INTERNATIONAL DRIVING PERMIT**

1. The permit shall be a booklet in format A 6 (148 x 105 mm). The cover shall be grey and the inside pages white.
2. The outside and inside of the front cover shall conform, respectively, to model pages Nos. 1 and 2 below; they shall be printed in the national language, or in at least one of the national languages, of the issuing State. The last two inside pages shall be facing pages conforming to model No. 3 below; they shall be printed in French. The inside pages preceding these two pages shall repeat the first of them in several languages, which must include English, Russian and Spanish.
3. Handwritten or typed entries made on the permit shall be in Latin characters or in English cursive script.
4. Contracting Parties issuing or authorizing the issuance of international driving permits of which the cover is printed in a language other than English, French, Russian or Spanish shall communicate to the Secretary-General of the United Nations the translation into that language of the text of model page No. 3 below.

MODEL PAGE No. 1  
(Outside of front cover)

.....		1
International Motor Traffic		
INTERNATIONAL DRIVING PERMIT		
No. ....		
Convention on Road Traffic of 8 November 1968		
Valid until .....		2
Issued by .....		
At .....		
Date .....		
Number of domestic driving permit		
		3

1. Name of the issuing State and its distinguishing sign as defined in Annex 3.
2. Either no more than three years after the date of issue or the date of expiry of the domestic driving permit, whichever is earlier.
3. Signature of the authority or association issuing the permit.
4. Seal or stamp of the authority or association issuing the permit.

This permit is not valid for the territory of: .....

.....

.....

.....

1


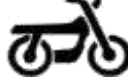











It is valid for the territories of all the other Contracting Parties on condition that it is presented with the corresponding domestic driving permit. The categories of vehicles for which the permit is valid are stated at the end of the booklet.

2

This permit shall cease to be valid in the territory of another Contracting Party if its holder establishes his normal residence there.

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MODEL 3  
*Left hand page*

PARTICULARS CONCERNING THE DRIVER	
Family name: .....	1.
Given name, other names: .....	2.
Place of birth: <sup>1</sup> .....	3.
Date of birth: .....	4.
Place of normal residence: <sup>2</sup> .....	5.
<b>CATEGORIES AND SUBCATEGORIES OF VEHICLES, WITH THE CORRESPONDING CODES, FOR WHICH THE PERMIT IS VALID</b>	
Category code/Pictogram	Subcategory code/Pictogram
A 	A1 
B 	B1 
C 	C1 
D 	D1 
BE 	
CE 	C1E 
DE 	D1E 
<b>RESTRICTIVE CONDITIONS OF USE<sup>3</sup></b>	

1. The place of birth may be replaced by other particulars defined by domestic legislation.

2. To be completed when required by domestic legislation.

3. For example: "Must wear corrective lenses", "Valid only for driving vehicle No. ....", "Vehicle must be equipped to be driven by a one-legged person".

MODEL 3  
Right hand page

1. .... 2. .... 3. .... 4. .... 5. ....		
<b>STAMP<sup>4</sup></b>	<b>STAMP<sup>4</sup></b>	<div style="border: 1px solid black; width: 150px; height: 100px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">             photograph           </div> <div style="border: 1px solid black; width: 60px; height: 60px; margin: 10px auto; display: flex; align-items: center; justify-content: center;">             4           </div> <div style="margin-top: 20px;">             Signature of the holder .....           </div>
A	A1	
B	B1	
C	C1	
D	D1	
BE		
CE	C1E	
DE	D1E	
<b>DISQUALIFICATIONS:</b> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 80%;"> <p>The holder is deprived of the right to drive in the territory of .....            At .....            -----</p> <p>The holder is deprived of the right to drive in the territory of .....            At .....            -----</p> </div> <div style="width: 15%; text-align: center;"> <p><sup>5</sup> until</p> <p>on</p> </div> <div style="width: 5%; text-align: center;"> <p><sup>6</sup></p> <p><sup>6</sup></p> </div> </div>		

<sup>4</sup> Seal or stamp of the authority or association issuing the permit. This seal or stamp shall be affixed against the designation of the categories or subcategories only if the holder is licensed to drive the appropriate vehicles.

<sup>5</sup> Name of State.

<sup>6</sup> Signature and seal or stamp of the authority which has invalidated the permit in its territory. If the spaces provided for disqualifications on this page have already been used, any further disqualifications should be entered overleaf.





Committee *for the*  
Environment & Infrastructure

Raymond Falla House  
Longue Rue  
St. Martin  
Guernsey  
GY4 6HG

The President  
Policy & Resources Committee  
Sir Charles Frossard House  
La Charroterie  
St. Peter Port  
Guernsey  
GY1 1FH

12<sup>th</sup> November 2018

Dear Deputy St Pier

**Policy Letter – “Road Transport and Driving Licence Implications for Driving in Europe Post-Brexit and other related matters”**

In accordance with Rule 4(2) of the Rules of Procedure for the States of Deliberation and their Committees, it is requested that the Policy Letter entitled “Road Transport and Driving Licence Implications for Driving in Europe Post-Brexit and other related matters” be considered by the States of Deliberation at its meeting on 12<sup>th</sup> December 2018.

The request is made to ensure that it is debated as soon as possible so that, subject to approval, the Policy & Resources Committee can initiate the request to the UK authorities to extend the UN Convention on Road Traffic, 1968 (“The Vienna Convention”) with effect from 29<sup>th</sup> March, 2019 (Brexit Day+1) or as soon as possible thereafter.

Debate at the meeting on the 12th December would also coincide with the proposed consideration of a Projet de Loi entitled “The Register of Driving Instructors (Guernsey) Law, 2018” which is one of the legislative requirements for ensuring compliance with the Convention requirements for which a similar request for debate at the December States meeting has already been submitted.

Yours sincerely

**B L Brehaut**  
President  
Committee *for the* Environment & Infrastructure