



**Tuvalu**

# **TRAFFIC REGULATIONS**

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Tuvalu

## TRAFFIC REGULATIONS

### Arrangement of Regulations

#### Regulation

1	Citation.....	5
2	Roadworthiness and vehicle requirements.....	5
3	Signals.....	7
4	Accidents .....	7
4A	Ambulances, etc.....	8
5	Rules of the road .....	8
6	Traffic signs .....	9
7	Speed limits.....	10
8	Parking .....	10
9	Parking lights .....	11
10	Registration plates.....	11
11	Trailers .....	12
12	Public service vehicles.....	12
13	Taxis.....	12
14	Conduct of drivers and passengers .....	12
14A	Passengers on certain motor vehicles .....	13
14B	Handcarts .....	13
14C	Lights .....	14
15	Conditions subject to which provisional driving licences are issued.....	14
16	Driving tests.....	15
17	Misleading information or refusal to supply information.....	15
18	Exemptions .....	15
19	Contravention of Regulations by drivers, etc.....	16
20	Contravention of Regulations by cyclists, etc.....	16

### Supporting Documents

#### ENDNOTES

17





Tuvalu

## TRAFFIC REGULATIONS

### MADE UNDER SECTION 30 OF THE TRAFFIC ACT

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#### 1 Citation

These Regulations may be cited as the Traffic Regulations.

#### 2 Roadworthiness and vehicle requirements

(1)

- (i) Every motor vehicle and trailer shall be in good working order and in such safe mechanical condition as not to endanger the driver, other occupants of the vehicle or any person upon the road, or cause damage to public or private property.
- (ii) Braking: Every motor vehicle shall be equipped with brakes capable of controlling the movement of and of stopping the vehicle in an efficient, safe and rapid way under any conditions of loading on any up or down gradient on which the vehicle is operated; and the braking shall be operated by means of 2 devices so constructed that, in the event of failure of one of the braking devices, the other shall be capable of stopping the vehicle in a reasonable distance.
- (iii) Driving Mirror: Every motor vehicle shall be equipped with at least 1 driving mirror of adequate dimensions so placed as to enable the driver to view from his seat the road to the rear of the vehicle.<sup>1</sup>
- (iv) Every motor vehicle capable of travelling at a speed in excess of 30 kilometers per hour, other than motor cycles, shall be fitted with a windscreen.<sup>2</sup>
- (v) Windscreen Wiper: Every motor vehicle fitted with a windscreen, other than motor cycles, shall have at least 1 efficient windscreen wiper functioning without constant control by the driver.

- (vi) Warning Device: Every motor vehicle shall be equipped with an audible warning device other than a siren or a whistle, except that police vehicles, fire engines and ambulances may be fitted with sirens.
  - (vii) Every motor vehicle shall at all times while it is being used on any road be equipped with tyres which are maintained in such condition as to be free from any defect which in any way might cause damage to the surface of the road or danger to persons on or in the vehicle or to other persons using the road.
  - (viii) Every motor vehicle shall be fitted with a silencer or other contrivance suitable and sufficient for reducing as far as may be reasonably possible the noise caused by escape of exhaust gases from the engine and every such silencer or other contrivance shall at all times while the vehicle is used~ on a road be maintained in good and efficient working order and shall not be altered in such away that the noise caused by the escape of exhaust gases is made greater by the alteration.
- (2) Subject to subregulation (3), no motor cycle shall carry more than 2 persons.
  - (3) Not more than 3 passengers, exclusive of the driver, shall be carried on any motor cycle provided with a side car.
  - (4) Every trailer shall be fitted with a braking device capable of preventing the rotation of the wheels when the trailer is uncoupled.
  - (5) Every cycle shall be equipped with:
    - (a) An efficient brake , and
    - (b) An audible warning device.
  - (6) [repealed]
  - (7) A vehicle shall not have a red light or red reflector directed to the front, except fire engines which may be fitted as high as possible with a front red light to be displayed when responding to an alarm of fire.
  - (8) [repealed]
  - (9)
    - (i) A police officer in uniform may test any vehicle on any road for the purpose of ascertaining whether the requirements imposed by law as to brakes, silencers, steering gear, tyres and lighting equipment are complied with as respects the vehicle and of bringing to the notice of the driver any failure to comply with those requirements, and for the purpose of testing the vehicle such officer may, if he is duly licensed to drive a vehicle of that class, drive it.
    - (ii) Where it appears to a police officer that, by reason of an accident having occurred owing to the presence of a vehicle on a road or where in his opinion the vehicle is apparently so defective that it ought not to be allowed to proceed without a test being carried out, he may require a test to be carried out and if he is not to carry out the test himself may

require that the vehicle shall not be taken away until the test has been so carried out.

- (iii) If any person obstructs a police officer acting under this paragraph he shall commit an offence.

### 3 Signals

- (1) Drivers of motor vehicles shall signal their intention to reduce speed or change direction in such a manner as to give ample notice of intention.
- (2) Unless prevented by sudden emergency the driver of a motor vehicle shall —
  - (a) if about to stop or suddenly reduce speed, extend the right arm directly outwards from the right or offside of the vehicle with the upper arm horizontal and the forearm vertical;
  - (b) if about to turn to the right or to draw out from the kerb to the right, extend the right arm directly outwards from the right or offside of the vehicle in a horizontal position;
  - (c) if about to turn to the left or to pull in to the kerb to the left, extend the right arm directly outwards from the right or offside of the vehicle and rotate the arm slowly in an anti-clockwise direction with the elbow flexed and the palm of the hand facing the front:

Provided however that if a motor vehicle is fitted with an efficient automatic signalling device the driver may indicate his intention by means of such device.

- (3) Every driver of a motor vehicle, cyclist, and every pedestrian upon a road shall comply with the directions of any police officer in uniform engaged in directing traffic.
- (4) In the event of any accident, collision or commotion or congestion of or obstruction or danger to traffic on any road the driver of any vehicle and any pedestrian, within the immediate vicinity shall obey the reasonable direction or instruction of any police officer.

### 4 Accidents

- (1) If a vehicle being driven on a road is involved in an accident in which —
  - (a) injury is caused to a person other than the driver; or
  - (b) damage is caused to another vehicle; or
  - (c) injury is caused to an animal other than an animal carried in or on the vehicle,

the driver shall stop the vehicle and, if required to do so by a person having reasonable grounds for doing so, shall give to that person —

- (d) his name and address; and

- (e) if he is not the owner of the vehicle - the name and address of the owner.
- (2) In a case to which subsection (1)(a) applies the driver shall also report the accident as soon as practicable to a police officer.
- (3) In this regulation, “animal” means a pig, goat or dog.

#### **4A Ambulances, etc.**

The drivers of vehicles and pedestrians, using a road shall make way or stop when signalled by the siren, whistle or horn of an ambulance, fire engine or police vehicle.

### **5 Rules of the road**

- (1) [repealed]
- (2) When approaching other road users, drivers shall take such precautions as may be required for the safety of the said road users.
- (3) Every driver and every cyclist shall keep his vehicle or his cycle, as the case may be, as close as practicable to the left hand side of the road.
- (4) The driver of a vehicle shall at all times have its speed under control and shall drive in a reasonable and prudent manner and shall slow down or stop whenever circumstances so require.
- (5) On the approach of any vehicle or other road users, drivers shall:
  - (a) when meeting, leave sufficient space for the vehicle or other road users coming from the opposite direction to pass in safety;
  - (b) when being overtaken, keep as close as practicable to the left hand side of the carriageway and not accelerate.
- (6) Drivers intending to overtake shall make sure that there is sufficient room and a visibility of not less than 90 meters ahead to permit overtaking without danger and shall after overtaking bring their vehicle back to the left hand side of the road after making sure that this will not inconvenience the vehicle or road user overtaken.<sup>3</sup>
- (7) Every driver approaching any road junction shall take special precautions to avoid accidents.
- (8) Every driver before starting to turn into a road shall:
  - (a) make sure that he can do so without danger to other road users;
  - (b) give adequate notice of his intention to turn;
  - (c) if he intends to turn off the road on the left of the direction in which he is travelling, move as far over to that side as practicable;



- (d) if he wishes to leave the road to the right of the direction in which he is travelling, move as near as practicable towards the middle of the carriageway;
  - (e) in no case hamper the traffic from the opposite direction.
- (9) When approaching or crossing a road intersection drivers shall give way to any vehicle approaching or crossing on the right.
- (10) All necessary precautions shall be taken to ensure that the load of a vehicle shall not be a cause of damage or danger.
- (11) [repealed]
- (12) Cyclists shall not proceed more than 2 abreast on the carriageway.
- (13) Cyclists shall not be towed by vehicles.
- (14) When pedestrians are travelling along a road —
- (a) subject to subregulation (15), they shall keep as close as practicable to the right-hand side of the road; and
  - (b) if travelling in a group, they shall not occupy more than one half of the width of the road; and
  - (c) they shall not unreasonably impede any vehicle.
- (15) Notwithstanding subregulation (14)(a), a pedestrian pulling or pushing a handcart may keep as close as practicable to the left-hand side of the road.

## 6 Traffic signs

- (1) The Commissioner of Police may on any road erect, place or post warning signs (hereinafter in these Regulations called "traffic signs") to indicate to persons using such road —
- (a) that a road junction lies ahead;
  - (b) [repealed]
  - (c) that it is necessary to halt at any major road;
  - (d) that it is necessary to reduce speed by reason of any major road or road bend ahead;<sup>4</sup>
  - (e) that an area in which speed is restricted commences;
  - (f) that the road becomes narrow ahead;
  - (g) that a school is in the vicinity and that particular caution is to be exercised;
  - (h) that an area in which speed is restricted ends;
  - (i) that a hospital is in the vicinity and that particular caution is to be exercised;
  - (j) that a round-about lies ahead;

- (k) that road users should keep to the left hand side of the road.
- (2) A traffic sign to indicate one of the matters specified in paragraph (1) shall be of such size, colour and design as the Commissioner of Police may in each case determine.
- (3) Any person who without lawful authority erects or causes to be erected any traffic signs shall commit an offence.
- (4) Any person who wilfully damages, removes, alters, disfigures or obscures any traffic sign shall be guilty of an offence.
- (5) Any person driving any vehicle on any road who fails to obey or conform to any indication given to persons using such road by any traffic sign shall be guilty of an offence.
- (6) Every traffic sign erected, placed or posted on a road shall be deemed-
  - (a) to be of the size, colour and design determined in respect of that sign under paragraph (2); and
  - (b) to have been lawfully erected, placed or posted,unless the contrary is proved.

## 7 Speed limits

- (1) Vehicles shall not be driven —
  - (a) on any road at any speed in excess of 30 kilometers per hour; and
  - (b) on any part of any road where vehicles are required to reduce speed at any speed in excess of 20 kilometers per hour.<sup>5</sup>
- (2) Any person driving any vehicle in contravention of paragraph (1) shall be guilty of an offence.
- (3) Any person driving any vehicle at a speed in excess of the authorised maximum speed within any area for which a maximum speed is indicated by traffic signs shall be guilty of an offence.

## 8 Parking

- (1) Stationary vehicles shall be kept off the carriageway if feasible or if not as close as possible to the edge of the carriageway on the left hand side with the vehicle facing in the direction of the traffic.
- (2) Vehicles shall not be left waiting where they are likely to cause danger or obstruction and in particular at or near a bend in the road.
- (3) Vehicles shall not be parked within 10 meters of a road intersection.<sup>6</sup>
- (4) Unless angle parking is indicated by signs or road markings, vehicles shall be parked with the left side parallel to the road side.

- (5) Drivers shall not leave vehicles until they have taken all necessary precautions to avoid an accident.
- (6) Any driver or other person in charge of a vehicle who causes or permits it to be left on any part of any road in contravention of the provisions of this regulation shall commit an offence.

## 9 Parking lights

- (1) Motor vehicles while at rest on any public road during the period between sunset and sunrise shall exhibit lights visible at 45 meters from either direction of the road, and where only 1 light is provided at either front or rear, this shall be placed on the side nearest to traffic coming from the opposite direction:

Provided that when a stationary vehicle is illuminated so as to be clearly visible at 45 meters it may be parked without exhibiting any lights.<sup>7</sup>

- (2) Any person who causes or permits any vehicle to be on any road in contravention of any of the provisions of this regulation shall be liable to a fine of \$25:

Provided however that no person shall be convicted of an offence against this regulation if such person, being the driver or the person in charge of such vehicle, proves to the satisfaction of the court before which the charges shall be brought that the offence arose through the negligence or default of some person whose duty it was to provide the vehicle with lights.

## 10 Registration plates<sup>8</sup>

- (1) Motor vehicles using a public road shall display registration numbers of approved pattern affixed to the front and rear of the vehicle in such a manner as to be clearly visible at a distance of 20 meters in normal daylight.
- (2) The letters shall be in capital Latin characters and the figures in Arabic numerals. Such letters and numerals shall be 8 centimeters in height and their strokes 1 centimeter in width; and the letters shall be in white or in silver on a black ground with the major axis horizontal:

Provided however that the letters and numerals of the registration numbers of any light duty motor cycle may be 5 centimeters in height and their strokes may be ½ centimetre in width.

- (3) When the registration number is displayed on special plates these plates shall be fixed in a position and in a plane perpendicular to the longitudinal axis of the vehicle; and when the number is fixed to or painted on the vehicle itself this shall be done on vertical or nearly vertical surfaces at the front and rear of the vehicle.

- (4) Every trailer using a public road shall display a registration number of approved pattern affixed to the rear of the vehicle in such a manner as to be clearly visible at a distance of 20 meters in normal daylight.
- (5) The registration number displayed at the rear of a motor vehicle or trailer shall be capable of illumination at night time so that it can be read at a distance of 20 meters.

## **11 Trailers**

- (1) Not more than 1 trailer shall be drawn by any motor vehicle.
- (2) A public service vehicle while carrying passengers shall not draw a trailer.

## **12 Public service vehicles**

- (1) Every public service vehicle licensed to carry more than 6 passengers shall be constructed, fitted and equipped as follows —
  - (a) All doors other than sliding doors shall open outwards;
  - (aa) All doors used by passengers must be fitted with suitable handgrips;
  - (b) All doors shall be so constructed and maintained as to be readily opened in case of emergency;
  - (c) Steps shall be fitted of such a kind and in such a manner as to provide safe and convenient means of ingress and egress;
  - (d) An efficient fire extinguisher and first aid equipment shall at all times be carried on the vehicle;
  - (e) Seats provided for passengers shall be of the number and kind stated in the licence for such vehicle.
- (2) The maximum number of passengers which a public service vehicle may carry shall be attached to the licence for such vehicle as a condition of issue by the licensing officer and shall at no time be exceeded.

## **13 Taxis**

A public service vehicle licensed for the carriage for hire or reward of not more than 6 passengers, exclusive of the driver, otherwise than upon specified routes, shall display the word "TAXI" on the front and back of such vehicle in black capital Latin characters 10 centimeters in height and 1 centimeter in width of strokes upon a white background.<sup>9</sup>

## **14 Conduct of drivers and passengers**

- (1) The driver of a vehicle when acting as such shall —

- (a) behave in a civil and orderly manner;
  - (b) take all reasonable precautions to ensure the safety of passengers in or on entering or alighting from the vehicle;
  - (c) not cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers except at a stand or place where such vehicles are permitted to stop for a longer time than is necessary for that purpose.
- (2) No driver or passenger, when in or on the vehicle, shall throw out of the said vehicle any bottle, liquid or litter or any article or thing likely to annoy persons or to cause danger or injury to any person or property.
  - (3) No driver or passenger travelling in or on a vehicle shall attach to or throw from or trail from the said vehicle any streamer, balloon, flag or other article in such manner as to overhang the road or to obstruct the view of the said driver.
  - (4) No passenger travelling in or on a vehicle shall obstruct or impede the driver of the said vehicle in the carrying out of his duty upon or in connection with the vehicle.
  - (5) No driver or passenger travelling in or on a vehicle shall shout, sing or make any other loud or unseemly noise, to the reasonable annoyance or disturbance of other road users.<sup>10</sup>

#### **14A Passengers on certain motor vehicles**

- (1) A passenger travelling on any part of a motor vehicle that is not fully enclosed —
  - (a) must be seated at all times while the vehicle is moving; and
  - (b) must not allow any part of his body to project outside the vehicle.
- (2) The driver of a motor vehicle shall not knowingly allow a passenger on the vehicle to contravene subregulation (1).

#### **14B Handcarts**

- (1) A pedestrian pulling or pushing a handcart on a road during the period between sunset and sunrise shall carry or have attached to the cart a light that —
  - (a) is visible at 45 meters from both directions of the road; or
  - (b) illuminates the hand-cart so that it is visible at 45 meters from both directions of the road.<sup>11</sup>
- (2) If a handcart is attached to a vehicle for towing it must be securely fastened to the vehicle.

**14C Lights**<sup>12</sup>

- (1) While being driven on a public road during the period between sunset and sunrise —
  - (a) a motor vehicle other than a motor cycle or trailer shall exhibit at least two white lights at the front of the vehicle on opposite sides of the vehicle, and one red light at the back; and
  - (b) a motor cycle shall exhibit at least one white light at the front of the vehicle and one red light at the back; and
  - (c) a trailer shall carry at the back either —
    - (i) a red light; or
    - (ii) a red reflector capable of being seen at a distance of 45 meters when illuminated by the white light of another vehicle; and
  - (d) a bicycle shall have at the front a white light either affixed to the vehicle or carried by the rider or a passenger.
- (2) A white light referred to in Subsection (1)(a) or (b) shall, when the vehicle is in motion, illuminate the road ahead for a distance of at least 45 meters.
- (3) A red light referred to in Subsection (1)(a), (b) or (c)(i) shall be discernable from the rear at a distance of at least 45 meters.

**15 Conditions subject to which provisional driving licences are issued.**

All provisional driving licences issued under the provisions of section 17 are granted subject to the following conditions —

- (a) that the holder thereof will not drive a motor vehicle of a class which he is thereby provisionally licensed to drive unless there is exhibited at both the front and the rear of the vehicle plates (which are of a size and are so affixed as to be easily discernible to other users of the road) bearing the capital letter "L" in red on a white ground;
- (b) that the holder thereof will not drive a motor vehicle of any class which he is thereby provisionally licensed to drive (other than a motor cycle) unless there is immediately beside him a person licensed under the Act to drive the said vehicle accompanying him for the purpose of instructing him in driving;
- (c) that the holder thereof will not drive a motor vehicle of any class which he is thereby provisionally licensed to drive while it is laden or while there is on, or in, it any person other than himself and one other person accompanying him for the purpose of instructing him in driving; and
- (d) that if the holder thereof is disqualified to drive a motor vehicle under any law for the time being in force in Tuvalu such licence shall be void and of no effect.

## 16 Driving tests

- (1) Before issuing a driving licence to any person under the provisions of section 19, a licensing officer shall satisfy himself that such person is conversant with the traffic laws for the time being in force in Tuvalu and is competent to drive the class or classes of vehicle to which such licence relates and no officer shall be so satisfied unless and until such person establishes to his reasonable satisfaction that he is either —
  - (a) so conversant with the traffic laws for the time being in force in Tuvalu and is the holder of a current driving licence issued by the proper authority in some country other than Tuvalu; or
  - (b) that he has passed a driving test and obtained a certificate under paragraph (6).
- (2) For purposes of this regulation the Commissioner of Police may appoint fit and proper persons to be driving examiners.
- (3) Any person wishing to submit himself for a driving test under this regulation must make application to a licensing officer and be in possession of a valid provisional driving licence relating to the class of motor vehicle in respect of which he requires to be licensed.
- (4) A person submitting himself for a driving test under this regulation must for the purpose thereof provide a motor vehicle of the appropriate class.
- (5) When any person fails to pass a driving test under this regulation he shall be informed by the driving examiner who conducts such test for the reasons for such failure; and without the written permission of the Commissioner of Police no person shall submit himself to a driving test under this regulation if within the 3 months immediately preceding he has failed another such test.
- (6) When, as the result of a driving test under this regulation, a person satisfies a driving examiner that he is conversant with the traffic laws for the time being in force in Tuvalu and that he is competent to drive any class or classes of vehicle, the driving examiner shall issue a certificate to that effect.

## 17 Misleading information or refusal to supply information

No person shall refuse to supply information concerning any matter under these Regulations or shall give misleading information to a licensing officer or a police officer of the rank of inspector or above or to any police officer on duty.

## 18 Exemptions

The Minister may by order in writing exempt any part of Tuvalu from the provisions of all or any of the above Regulations.

**19 Contravention of Regulations by drivers, etc.**

Any persons who on any road uses, or causes or permits to be used, any vehicle which fails to comply with any of the requirements prescribed by these Regulations with respect to such vehicle or its parts, equipment or accessories, the number of passengers carried by it, or the packing or adjustment of its load shall be liable to a fine of \$50:

Provided however that no person shall be convicted of an offence under subparagraph (i), (ii), (iii), (iv), (v), (vi) or (vii) of regulation 2 (1) or under regulation 2 (4) if it shall be made to appear to the court before which the charge shall be brought that —

- (a) the defect occurred in the course of the journey during which the contravention was detected; or
- (b) that at the time when the contravention was detected steps had already been taken to have the defect remedied with all reasonable expedition.

**20 Contravention of Regulations by cyclists, etc.**

Any person who on any road uses, or causes or permits to be used, any bicycle which fails to comply with any of the requirements prescribed by these Regulations with respect to such bicycle or its parts, equipment or accessories, the number of persons carried by it or the manner in which persons are carried by it shall be liable to a fine of \$20.



**ENDNOTES**

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<sup>1</sup> Amended by LN 9/1992

<sup>2</sup> Amended by LN 9/1992

<sup>3</sup> Amended by LN 9/1992

<sup>4</sup> Amended by LN 9/1992

<sup>5</sup> Substituted by LN 9/1992

<sup>6</sup> Amended by LN 9/1992

<sup>7</sup> Amended by LN 9/1992

<sup>8</sup> Amended by LN 9/1992

<sup>9</sup> Amended by LN 9/1992

<sup>10</sup> Inserted by LN 9/1992

<sup>11</sup> Amended by LN 9/1992

<sup>12</sup> Amended by LN 9/1992